XIIIA

BY ORDER OF THE LIEUTENANT GOVERNOR OF BENGAL

REPORT

ON THE

ADMINISTRATION OF CIVIL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES

DURING THE YEAR

1893.

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1894.

Proceedings of the Hon'ble the Lieutenant Governor of the Punjab, in the Home (Judicial) Department, No. 994 S., dated the 3rd October 1894

READ—

The Report on the Administration of Civil Justice in the Punjab during the year 1893.

Paragraphs 2 and 3 of the Report.

REMARKS.—The number of suits instituted in the Civil Courts during the year 1893, *viz.*, 258,091, is 19,063 more than the number instituted in the previous year and is the largest number on record since the institution of separate Revenue Courts in the year 1884. The causes generally assigned for the increase in litigation in the year under review are that, while the year 1892 was marked by indifferent harvests and excessive sickness, 1893 was a year of good harvests and comparative freedom from sickness. It is intelligible that these causes might produce the result attained, but it is quite true, as Mr. Troward says, that "a good and bad harvest can be equally used as an explanation for an increase as well as for a decrease" in litigation.

Paragraphs 11 and 12.

2. The remark made in paragraph 12 of the Report that the Courts as a whole disposed of more business than was instituted is not understood, as it appears that the pending file at the close of the year was considerably heavier than it was at the beginning of the year.

Paragraphs 16 to 18.

3. There was a very considerable increase in the number of suits dismissed by default and of *ex parte* decisions as compared with previous years. This is no doubt to be accounted for in a general way by the large increase (nearly 10 per cent. as compared with the year 1892) in the number of suits instituted for money or moveable property, the class of cases in which compromises, dismissals by default, and *ex parte* decisions most commonly occur. But to get to the bottom of such a matter it is necessary to pursue it into the courts of individual officers and see the percentages for each court, and it is in the Lieutenant-Governor's opinion always advisable to do this when the percentage for a district is unusually high.

Paragraph 20.

4. The remarks of the District Judge of Shahpur (Mr. Bridges) as to the class of persons to whom commissions for local investigation or examination of accounts are issued in that district are noticeable. He says that such commissions are generally issued to "persons who make a profession of making their livelihood by undertaking such work." It seems to His Honor to be most necessary for controlling officers to check the employment of men of this class who are apt to attach themselves as hangers-on to an inferior court or to an individual Judge of such a court.

Paragraph 22.

5. The number of decrees bearing interest passed during the year was 351, and the average rate of interest is said to be Rs. 3-9-0 in decrees passed by consent and Rs. 5 in decrees passed without consent. Sir Dennis Fitzpatrick is surprised to find in how very minute a fraction of the cases disposed of interest is awarded on the sum decreed and at what a low average rate the interest falls, and he cannot help suspecting that there is some mistake in the returns.

Paragraph 25.

6. The Lieutenant-Governor will be glad to see the explanations called for of the high average duration of cases in the courts mentioned in parapraph 25 of the Report, for, as remarked in paragraph 5 of the Review of the Report for 1892, some of the figures seem impossible for the average of cases.

7. His Honor desires to record his thanks to the Honorary Civil Judges who have rendered valuable assistance in the administration of Civil Justice, and more particularly to Sodhi Khazán Singh and the other gentlemen mentioned in paragraph 30 of the Report.

Paragraph 30.

8. It is worth noting, having regard to the enormous mass of suits for debt which are decreed every year, that there were only 39 cases in which hereditary or joint acquired property in land was sold during the year under review.

Paragraph 37.

9. The number of suits disposed of by Munsifs in exercise of special Small Cause Court jurisdiction rose from 17,090 in 1892 to 19,283 in 1893. No information is given in the Report as to the manner in which the selected Munsifs exercised this special jurisdiction, but the remarks made by the Divisional Judge of Jullundur (Colonel Wood) in regard to the work of the Munsif of Jullundur, printed in Appendix A. to the Report, are favourable. The attention of the learned Judges of the Chief Court is invited to paragraph 10 of the Review of the Report for 1892: the Lieutenant-Governor trusts that they will continue to watch the working of the system carefully.

Paragraph 44

10. His Honor notices with much satisfaction the steady improvement which has taken place in the average duration of appeals in Divisional Courts. The average duration during the past six years has been—

Paragraph 53.

1888.	1889.	1890.	1891.	1892.	1893.
144	140	117	89	76	70 days.

11. It is worth noticing that out of a little over 6,000 appeals instituted in Divisional Courts the costs in nearly 1,000 amounted to 86 per cent. of the value at stake and the costs in more than 1,500 appeals to 35 per cent. of that value.

Paragraph 54.

12. In the tables given in paragraphs 59 and 60 of the Report of the working of the Chief Court the figures for appeals from decrees and appeals from orders are clubbed together, and so to find the figures for appeals from decrees, which form the heavy part of the work in the Chief Court, reference must be made to the table in paragraph 58. From this it appears that the institutions of first appeals in the Chief Court fell-off as compared with the previous year by a trifling amount, that the disposals were all but equal to the institutions, and that the arrears at the end of the year remained about the same as at the beginning. In "further appeals" the institutions as compared with the previous year rose from 1,127 to 1,212, while the disposals fell from 1,270 to 1,182, with the result that the arrear list has been somewhat increased instead of being diminished. His Honor would be glad to know whether this is due to any temporary cause, as if not it looks somewhat serious.

Paragraphs 58 to 60.

13. The Lieutenant-Governor is glad to see that Mr. G. L. Smith, Colonels Wood and Lawrence, and Mr. T. H. Homan have directed attention to the failure of Subordinate Courts to examine the parties fully in the first instance in order to ascertain accurately the exact points in dispute. This is a fruitful source of waste of time and miscarriage of justice. It is most difficult to get officers to understand that half an hour or less devoted to a case at the settlement of issues will usually save many hours later in the case.

14. His Honor has read with interest the account given by Mr. G. L. Smith of the system introduced by Mr. Gladstone into the Umballa District of

the supply of copies through the agency of the Value Payable Parcel Post, and will be obliged if the Judges of the Chief Court will instruct Divisional and District Judges to notice in their reports next year whether this system has been a success in other districts in which it may have been introduced.

15. Reference is made by Messrs. Christie and Gee in Appendix A to the Report to the difficulty experienced by Civil Courts in deciding disputes concerning irrigation rights. The matter is now under His Honor's consideration on a reference from the Financial Commissioner.

ORDER.—Ordered, that the above Review be forwarded to the Registrar, Chief Court, Punjab, for the information of the Judges, and published in the *Punjab Government Gazette;* also that it be forwarded to the Government of India in the Home Department with the usual number of copies.

By order of the Hon'ble the Lieutenant-Governor,

R. E. YOUNGHUSBAND,

Offg. Junior Secretary to Government, Punjab.

Punjab Government Press, Lahore—31-10-94—280.

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No. 8.—Statement showing the number of days the Senior Judge and each of the Judges of the Chief Court, Punjab, sat in Court and in chambers in the Court-house during the year 1893.

No. 9.—Statement showing the value of suits instituted in the districts of the Punjab in the year 1893.

Appendix.

A.—Extracts from Divisional and District Reports.

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FROM

A. E. MARTINEAU, ESQUIRE, C.S.,

Offg. Registrar, Chief Court, Punjab,

TO

H. C. FANSHAWE, ESQUIRE, C.S.,

Offg. Chief Secretary to Government, Punjab.

Dated LAHORE, *the 29th May* 1894.

SIR,

Submits Annual Report

I AM directed by the Judges to submit the Report on the Administration of Civil Justice in the Punjab for the year 1893.

PART I.—ORIGINAL JURISDICTION.

A.—INSTITUTIONS—CLASSIFICATION AND VALUE OF ORIGINAL SUITS.

Number of suits instituted

2. The following table shows the number of suits instituted in all the Civil Courts of the Province in each of the past six years :—

Class of Court	1888	1889	1890	1891	1892	1893
Chief Court	4	5	5	5	4	2
Divisional Courts	3	3	5	6	7	3
District Courts of general jurisdiction. .	235,287	222,721	220,219	211,434	201,119	236,798
District Small Cause Courts ...	15,162	13,964	14,087	28,340	30,876	14,986
Cantonment Small Cause Courts	7,519	6 706	6,363	6,574	7,022	6,302
Total .	257,975	243,399	240,679	246,359	239,028	258,091

Fluctuations noticed

3. The number of suits instituted is above the average and shows an increase of about 8 per cent over the number instituted in the year 1892. The increase is principally under District Courts of general jurisdiction. The decrease in institutions in the District Small Cause Courts is apparent only, as the figures for 1891 and 1892 included suits instituted in the Courts of Munsifs invested with special Small Cause Court jurisdiction. Those suits are given separately for the year under report, and will be seen in paragraph 44 below, under Part II Small Cause Courts.

There were about 12 suits to every thousand of the population. In Simla there were 47 suits per thousand. The proportion was also above the

average in the following districts :—

Gujránwála	18	per thousand of the population.
Amritsar, Muzaffargarh	17	" " "
Gurdáspur	16	" " "
Jullundur, Hoshiárpur, Siálkot, Lahore, Dera Ismáil Khan	15	" " "
Ludhiána, Jhang, Dera Gházi Khan, Bannu.	14	" " "

In Gurgáon the number was 3 per thousand, in Rohtak and Montgomery 7 per thousand, and in Hissár 6 per thousand.

There has been a decrease in institutions in only six districts, *viz.*, Delhi, Gurgáon, Umballa, Siálkot, Jhang and Kulu In all these the decrease is very slight.

There has been a marked increase in the number of suits instituted in the following districts :—

	Per cent
Dera Ismail Khan	+ 35
Shahpur	+ 31
Dera Gházi Khan .. .	+ 27
Montgomery	+ 26
Kángra	+ 20
Jhelum	+ 19
Bannu	+ 16
Hoshiárpur	+ 14
Hissár	+ 13
Karnál	+ 12
Gurdáspur	+ 10
Gujránwála ...	+ 8
Kohát	+ 8
Rohtak	+ 7
Ludhiána	+ 7

The number of institutions, which was in most of these districts below the average in 1892, has risen above it in all of them except Shahpur. In the Dera Ismail Khan district the average number of institutions for a period of six years has been 6,327. In the year 1892, only 5,450 suits were instituted, while in the past year the number has risen to 7,358. The District Judge of Shahpur attributes the increase in his district to the fact that the floods which occurred in July 1893 induced money-lenders to bring their claims into Court. His remarks on the subject are given in the extracts appended to this Report. No reason is assigned for the increase in Dera Gházi Khan.

The increase in Bannu is attributed by the District Judge "to the growing "taste of the people for litigation, and the great freedom from sickness through-"out the year, which gave the people more time to indulge this taste."

With regard to Karnál the District Judge says "there can be little doubt "that the establishment of an Honorary Court at Pánipat towards the close of "1892, which afforded greater facilities to litigants, mainly accounts for the "increase."

In other districts the increase is generally ascribed to the good rabi harvest and immunity from sickness.

4. The following table shows the number of suits instituted in each district, in each of the past six years :—

Number of suits instituted in each district.

Districts	1888	1889	1890	1891	1892	1893.	Average
Delhi	7,169	7,003	7,197	7,193	7,677	7,455	7,282
Gurgáon	2,595	2,431	2,156	2,024	2,239	2,198	2,274
Rohtak	3,333	3,605	3,221	4,141	4,058	4,367	3,787
Karnál	3,088	2,823	2,440	3,820	3,116	3,500	3,131
Umballa	9,993	9,722	9,195	10,424	11,288	10,926	10,258
Ludhiána	8,832	7,990	8,100	8,412	8,360	8,973	8,444
Simla	2,365	2,365	2,186	1,807	2,074	2,106	2,150
Jullundur	13,763	13,712	13,298	12,769	13,204	14,111	13,476
Hoshiárpur	14,442	14,095	14,733	14,253	13,819	15,806	14,524
Kángra...	6,488	6,084	5,410	5,784	5,344	6,443	5,925
Kulu	1,028	927	1,071	1,046	977	891	990
Amritsar	17,348	16,865	15,603	16,070	16,235	17,327	16,574
Gurdáspur	16,049	15,423	15,618	15,344	13,966	15,483	15,314
Siálkot	18,756	17,964	15,517	17,681	17,785	17,406	17,518
Gujránwála	11,048	10,607	10,921	12,989	11,832	12,870	11,711
Lahore	17,541	15,855	15,706	16,346	15,791	16,717	16,326
Ferozepore	12,931	11,004	10,673	11,240	10,017	10,668	11,089
Hissár	3,760	3,142	3,336	3,965	4,236	4,799	3,873
Mooltan	8,581	8,047	7,266	6,873	6,901	7,198	7,477
Jhang	7,289	7,085	6,165	7,022	6,259	6,156	6,662
Montgomery	4,750	4,370	3,676	3,417	3,153	3,979	3,891
Muzaffargarh	6,775	6,467	6,645	7,128	6,146	6,523	6,614
Jhelum	6,336	6,317	7,255	5,823	5,244	6,243	6,203
Gujrát	8,683	8,358	7,982	9,158	9,022	9,390	8,765
Shahpur	5,222	5,747	6,913	5,143	3,876	5,109	5,335
Ráwalpindi	10,808	10,383	11,418	10,384	10,506	11,011	10,751
D. I. Khan	6,693	5,583	6,388	6,492	5,450	7,358	6,327
D. G. Khan	6,508	5,620	5,502	4,690	4,685	5,965	5,495
Bannu	4,569	4,065	4,844	5,007	4,660	5,422	4,761
Peshawar	6,375	5,351	5,572	5,409	6,382	6,702	5,965
Hazára	2,628	2,265	2,675	2,734	2,683	2,773	2,626
Kohát	2,222	2,116	1,987	1,760	2,032	2,211	2,054
Total ...	257,968	243,391	240,669	246,348	239,017	258,086	247,579

Institutions were considerably above the average in the Hissár, Dera Ismail Khan, Peshâwar, Rohtak, Dera Gházi Khan and Bannu districts.

5. The following table shows the number of suits under the chief heads of classification for 1892 and 1893 :—

Classification of suits

	Description of Suits.	1892	1893.
I—Suits for money or moveable property.	On Registered bonds	2,117	2,648
	„ Unregistered bonds	88,953	114,558
	„ Other suits	112,875	107,062
	Total	203,945	224,268
		85 *p.c.*	87 *p.c.*
II—Other Suits.	Suits for possession or recovery of immoveable property other than pre-emption suits and suits between mortgagor and mortgagee for possession	26,105	15,788
	Suits to establish a right of pre-emption	2,597	3,398
	Mortgage suits, *i.e.*, for foreclosure or redemption, &c., and other suits for possession by mortgagor and mortagee ...	...	8,403
	Suits for specific relief other than suits shown above ...	206	1,293
	Suits relating to religious and other endowments	...	7
	Suits for enforcement of matrimonial rights including suits for judicial separation and suits for dower	5,363	3,396
	Suits for dissolution of marriage		50
	Contested suits under Acts X of 1865 and V of 1881 ...	...	11
	Any other suits to enforce wills not falling under Acts X of 1865 and V of 1881	...	19
	Any other suits not included in the above	812	1,458
	Total . ..	35,083	33,823
		15 *p.c.*	13 *p c.*
	Grand Total . ..	239,028	258,091

Increase and decrease under various heads noticed.

6. The form of this statement having been revised this year it is not possible to give full details for previous years. Under the first head the large increase of 20,323 suits is mainly on account of suits on unregistered bonds, which increased by 25,605. There was a falling off of 5,813 in the sub-head "other suits."

The second head shows a decrease of 1,260 suits, mainly on account of suits for possession or recovery of immoveable property other than pre-emption suits and suits between mortgagor and mortgagee for possession. There was also a decrease in the number of matrimonial suits. All other suits show an increase.

Bankers and shop-keepers brought 118,665 suits against agriculturists during 1893 as compared with 103,667 suits in 1892.

The bulk of the litigation is of a petty character. Out of the 224,268 suits for money or moveable property—

44,644 ...	did not exceed Rs. 10 in value.
109,471 ...	exceeded Rs. 10, but did not exceed Rs. 50 in value.
40,222 ...	exceeded Rs. 50, but did not exceed Rs. 100 in value.
194,337 ...	did not exceed Rs. 100 in value.
29,931 ...	exceeded Rs. 100 in value.
224,268	

Classified under the three heads prescribed by Act XIII of 1888 there were :—

	1891.	1892.	1893
Small causes	212,756	203,945	224,268
Land suits	18,538	19,413	19,978
Unclassed suits	15,065	15,670	13,840
Total	246,359	239,028	258,086

7. The following table shows the value of such suits instituted as were capable of money valuation, for each of the past four years :—

Value of suits

Class of suit		Number of suits instituted capable of money valuation.	Value	Average value
			Rs.	Rs. a p
(1). For money or moveable property... ...	1890 ...	207,133	1,68,97,175	81 9 2
	1891 ...	212,756	1,40,21,867	65 15 0
	1892 ...	203,945	1,35,87,086	66 9 11
	1893 ...	224,268	1,42,39,172	63 7 10
(2) For land assessed or subject to assessment	1890 ...	18,593	41,97,213	225 11 10
	1891 ...	17,750	44,57,145	251 1 8
	1892 ...	18,431	53,93,815	292 10 4
	1893 ...	19,086	45,19,387	236 12 10
(3) For other immoveable property	1890 ...	7,587	28,78,660	379 6 8
	1891 ...	8,080	14,87,003	184 0 6
	1892 ...	8,462	19,55,232	231 0 11
	1893 ...	7,876	14,71,464	186 13 3
(4) Other suits	1890 ...	5,189	14,86,320	286 6 11
	1891 ...	5,617	18,53,881	330 0 9
	1892 ...	5,605	13,58,907	242 7 1
	1893 ...	4,438	19,14,077	431 4 5
Total	1890 ...	238,502	2,54,59,368	106 11 11
	1891 ...	244,203	2,18,19,896	89 5 7
	1892 ...	236,443	2,22,95,040	94 4 8
	1893 ...	255,668	2,21,44,100	86 9 9

8. There were 2,418 suits of indeterminate value as compared with 2,585 in the year 1892. Although the number of suits instituted in 1893 was much greater than in the previous year, yet the total value of the litigation was about one and a half lakhs less, owing to a fall in value of about 17 per cent in suits for land assessed or subject to assessment, and of about 25 per cent in suits for other immoveable property. In the other classes of suits there was an increase in value. In the Gujránwála district the value fell by about 4 lakhs. The figures for the Delhi district showed a fall of over 5 lakhs, but it is doubtful whether this is correct, as the District Judge was of opinion that there was an error of 4 lakhs in the returns for 1892 under the head of suits for other immoveable property. An explanation is being called for. In several districts there was a rise or fall of more than one lakh. It is difficult to account for these fluctuations, but they seem to depend to a great extent on the number of suits of high value that are instituted.

Variations in value noticed.

9. The average value for all classes of suits fell from Rs. 94-4-8 to Rs. 86-9-9. The fall was principally in suits for land assessed and in suits for other immoveable property. On the other hand there was a very great increase in the average value of "other suits."

Average value noticed.

B.—Disposal of Original suits by Courts subordinate to the Chief Court.

10. Divisional Courts disposed of the 3 original suits which were for disposal. In the previous year they disposed of 6 out of 7 suits.

Original suits in Divisional Courts.

11. The subjoined table shows the number of original suits for disposal, disposed of, and pending at the close of the year in other subordinate Courts, for each of the last five years :—

Original suits in other Courts.

Year	For disposal (pending, instituted and re-admitted)	Disposed of.	Pending.
1889	2,72,095	2,54,994	17,101
1890	2,69,449	2,53,266	16,183
1891	2,74,175	2,55,689	18,486
1892	2,69,736	2,51,844	17,892
1893	2,89,064	2,69,369	19,695
Difference between 1892 and 1893 ...	+ 19,328	+ 17,525	+ 1,803

12. Taking the averages for five years there were :—

Remarks on working.

	Average.	1893.
For disposal	2,74,900	2,89,000
Disposed of	2,57,000	2,69,300
Pending	17,800	19,700

The figures are satisfactory, the Courts having, as a whole, disposed of more business than was instituted.

Number of suits disposed of in each district.

13. The following table shows the number of suits disposed of in each district of the Province, in each of the past five years :—

1	2	3	4	5	6	7	8
District	1889.	1890	1891	1892.	1893.	Average	Pending file on 31st December 1893.
Delhi	7,123	7,139	7,305	7,814	7,789	7,434	570
Gurgáon	2,507	2,291	2,111	2,231	2,249	2,278	76
Rohtak	3,633	3,271	4,233	4,214	4,343	3,939	303
Karnál	2,857	2,617	3,805	3,325	3,817	3,284	230
Umballa	10,031	9,907	10,572	11,678	12,003	10,838	614
Ludhiána	8,381	8,655	8,757	8,579	9,198	8,714	581
Simla	2,402	2,304	1,840	2,015	2,186	2,149	195
Jullundur	14,241	13,829	13,739	14,056	14 757	14,124	991
Hoshiárpur	14,661	15,331	14,498	14,947	16,683	15,220	1,698
Kángra	6,243	5,670	5,961	5,667	6,412	5,990	730
Kulu	1,022	1,076	1,047	1,001	940	1,017	45
Amritsar	17,424	16,344	16,965	17,013	17,780	17,105	1,238
Gurdáspur	16,211	16,421	15,934	14,442	16,039	15,809	1,086
Siálkot	19,120	17,073	18,386	18,866	18,314	18,351	1,081
Gujranwála	10,917	11,202	13,041	12,529	13,515	12,241	923
Lahore	16,481	16,371	16,917	16,564	17,357	16,738	1,315
Ferozepore	12,169	11,591	12,059	10,796	11,470	11,617	733
Hissár	3 271	3,530	4,058	4,374	5,085	4,063	194
Mooltan	8,646	7,732	7,067	7,268	7,606	7,664	557
Jhang	7,549	6,776	7,254	6,736	6,424	6,948	449
Montgomery	4,886	3 824	3,755	3,339	3,845	3,930	575
Muzaffargarh	6,477	6,600	7,732	6,561	6,575	6,789	518
Jhelum	6,531	7,461	6,277	5,758	6,578	6,521	579
Gujrát	8,367	8,520	9,348	9,392	10,035	9,132	542
Shahpur	6,071	7,283	5,527	4,182	5,521	5,717	410
Ráwalpindi	11,305	11,905	10,566	10,817	11,395	11,197	1,177
D. I. Khan	5,861	6,699	6,767	5,771	7,390	6,497	730
D G. Khan	6,004	5,967	4,791	4,888	6,166	5,563	276
Bannu	4,485	5,232	5,330	5,316	5,872	5,247	373
Peshâwar	5,529	5,791	5,505	6,639	6,815	6,056	504
Hazára	2,373	2,782	2,680	3,018	2,901	2,751	245
Kohát	2,216	2,072	1,862	2,048	2,309	2,101	157
Total	2,54,994	2,53,266	2,55,689	2,51,844	2,69,369	2,57,082	19,695

14. The following table shows, for each district, the number of small causes, land suits, and unclassed suits, respectively disposed of in the year 1893, side by side with the annual disposals in the years 1890-93 :—

Disposals under each of the three main classes of suits, in districts

District	Disposals for 1893				Average for 4 years				Percentage contested to disposed of
	Small causes	Land suits	Unclassed suits.	Total.	Small causes.	Land suits.	Unclassed suits.	Total.	
Delhi	6,864	239	686	7,789	6,658	249	697	7,604	24
Gurgáon	1,942	205	102	2,249	1,933	190	107	2,230	20
Rohtak	3,709	393	241	4,343	3,514	408	202	4,124	20
Karnál	3,387	160	270	3,817	3,074	188	271	3,533	20
Umballa . ..	10,424	1,142	437	12,003	9,849	988	524	11,361	26
Ludhiána	7,252	885	1,061	9,198	7,044	853	1,034	8,931	36
Simla .. .	2,161	8	17	2,186	2,099	8	12	2,119	27
Jullundur	12,228	1,506	1,023	14,757	11,700	1,490	1,126	14,316	33
Hoshiárpur	13,651	1,940	1,092	16,683	12,812	1,868	1,124	15,804	29
Káugra	5,413	572	427	6,412	5,144	593	352	6,089	34
Kulu	813	78	49	940	833	87	70	990	42
Amritsar	15,372	1,090	1,318	17,780	14,735	1,200	1,342	17,277	26
Gurdáspur . . .	13,653	816	1,570	16,039	13,523	1,019	1,277	15,819	32
Siálkot . ..	15,491	1,521	1,302	18,314	15,415	1,533	1,263	18,211	33
Gujránwala	11,935	990	590	13,515	11,354	849	683	12,886	21
Lahore	15,155	826	1,376	17,357	14,984	790	1,213	16,987	24
Ferozepore	9,327	1,224	919	11,470	9,299	1,194	883	11,476	27
Hissár	4,317	424	344	5,085	3,661	439	436	4,536	18
Mooltan	7,126	190	290	7,606	6,990	265	226	7,471	18
Jhang	6,015	275	134	6,424	6,122	291	260	6,673	18
Montgomery	3,621	138	86	3,845	3,520	125	97	3,742	22
Muzaffargarh	6,236	247	92	6,575	6,384	291	94	6,769	21
Jhelum	4,829	961	788	6,578	4,937	876	725	6,538	33
Gujrát	7,844	1,717	474	10,035	7,533	1,449	579	9,561	35
Shahpur	4,528	666	327	5,521	4,633	586	369	5,593	27
Ráwalpindi	9,083	1,474	838	11,395	9,069	1,387	789	11,245	26
Dera Ismail Khan	6,607	480	303	7,390	6,141	492	268	6,901	22
Dera Gházi Khan	5,437	523	206	6,166	5,008	453	229	5,690	27
Bannu	4,199	856	817	5,872	4,037	814	731	5,582	41
Peshawar	5,401	890	524	6,815	5,085	821	490	6,396	33
Hazára	1,950	600	351	2,901	1,884	626	354	2,864	45
Kohát	1,887	314	108	2,309	1,773	260	118	2,151	33
Total	227,857	23,350	18,162	269,369	220,855	22,683	17,946	261,484	28

The principal increase is under the head of small causes. The percentage of increase under this head was highest in the Shahpur, Dera Ismail Khan, Dera Ghází Khan and Karnál districts.

15. The following table shows the manner in which original civil suits were disposed of in each of the past five years:—

Manner of disposal.

Manner of disposal	Percentage decided.				
	1889.	1890.	1891	1892	1893.
Without trial	19·6	19·7	20·4	20·5	21·1
Without contest	50·3	50·2	50·3	49·5	50·7
On reference to arbitration	·6	·6	·5	·5	·5
After contest { For plaintiff	21·6	21·9	22·0	22·4	21·7
After contest { For defendant	7·9	7·6	6·8	7·1	6·0

16. Further details of the disposal of original civil suits during each of the past four years are given in the following table:—

Further details of disposal

1	2	3	4	5	6	7	8	9	10
Year	Percentage of cases								
	Dismissed on default.	Withdrawn with leave, section 373, Civil Procedure Code	Compromised	Decreed on confession.	Decreed or dismissed *ex-parte*.	Referred to arbitration.	Contested and decided in favor of plaintiff.	Contested and decided in favor of defendant	Percentage of contested cases decided in favor of plaintiff to the number contested.
1890	17·9	0·3	18·8	17·1	14·2	0·6	21·9	7·6	74·4
1891	18·8	0·3	18·5	17·2	14·3	0·5	22·0	6·8	76·3
1892	18·9	0·3	17·0	17·5	15·0	0·5	22·4	7·1	76·7
1893	19·5	0·3	17·2	17·3	15·6	0·5	21·7	6·0	78·0

There appears to be a steady increase in the percentage of cases dismissed by default and of cases decreed or dismissed *ex-parte*.

17. Dismissals on default and *ex-parte* decisions are shown in more detail in the following table:—

Dismissals on default and *ex parte* decisions

Year	Dismissals on default				Ex-parte decisions.					
	Number of cases dismissed on default under sections 97 and 98, Civil Procedure Code.	*Number of applications for restoration to the file of cases dismissed under sections 97 and 98, Civil Procedure Code*		Number of fresh suits brought on claims dismissed on default under sections 97 and 98, Civil Procedure Code.	Number of cases in which judgment was passed *ex-parte* against a defendant, under section 101, Civil Procedure Code	*Applications to set aside ex-parte decrees.*		Number of cases in which suit was dismissed under section 102, Civil Procedure Code	*Applications under section 103, Civil Procedure Code.*	
		Admitted.	Refused.			Admitted	Refused.		Admitted.	Refused.
1889 ...	45,843	4,939	2,426	214	31,639	2,700	1,819	3,461	1,185	435
1890 ...	45,570	6,845	2,993	261	32,420	2,863	1,909	3,670	1,371	516
1891 ...	48,105	7,465	2,735	259	32,825	2,720	1,946	3,842	1,401	442
1892 ...	47,603	7,502	2,950	245	33,699	3,076	2,053	4,275	1,629	548
1893 ...	52,700	8,211	3,124	288	38,023	3,360	2,219	4,209	1,594	512

18. Dismissals on default stood high in the following districts:—

Districts in which percentages were highest.

Mooltan ...	30	per cent.
Jhang ...	27	„
Karnál ...	26	„
Dera Ismail Khan ...	26	„
Kulu ...	26	„
Ferozepore ...	24	„
Hissár ...	23	„
Rohtak ...	21	„
Gurdáspur ...	21	„
Provincial average ...	19·5	„

There is a remarkable increase of 5,097 in the number of suits dismissed on default, and of 4,321 in the number of *ex-parte* decisions.

Ex-parte decisions were numerous in the following districts:—

Shahpur ...	20	per cent.
Montgomery ...	18	„
Siálkot ...	18	„
Karnál ...	17	„
Provincial average ...	15·6	„

References to arbitration

19. The increase in the number of suits referred to arbitration from 1,352 in the year 1892 to 1,589 in the year under report is noticeable, as during the three previous years the number of references to arbitration had been steadily decreasing.

Issue of commission

20. The following table shows the number of commissions issued for local investigation and for examination of accounts in each of the past three years:—

Year	For local investigation				For examination of accounts.			
	To a revenue official	To any other person	Total	Average cost	To a revenue official	To any other person.	Total.	Average cost.
				Rs a p				Rs a p
1891	287	1,982	2,269	5 0 0	70	1,136	1,206	5 0 0
1892	331	2,004	2,335	6 13 0	39	976	1,015	5 11 0
1893	400	2,010	2,410	6 0 0	92	1,354	1,446	4 8 0

There has been a considerable increase in the number of commissions issued for examination of accounts. The average cost of commissions for local investigation was very high in the Ferozepore district, Rs. 11-5-10. In the Umballa district also the average co t of commissions was high, *viz.*, Rs. 9-8-0.

Attachment before judgment.

21. The number of cases in which property was attached before judgment, in each of the past five years, was as follows:—

1889 ...	452
1890 ...	513
1891 ...	510
1892 ...	533
1893 ...	517

Compensation for improper attachment was awarded in only four cases. The number of attachments before judgment was highest in the Mooltan district (68).

22. The number of decrees bearing interest has increased from 290 to 351. The following table shows the figures for the last five years :—

Decrees bearing interest.

	Number of cases in which interest was allowed on the amount decreed				
	1889	1890	1891	1892.	1893.
By consent	439	278	223	224	278
Without consent	117	81	62	66	73
Total ...	556	359	285	290	351

The average rate of interest has fallen from Rs. 7-4-0 to Rs. 3-9-0 in decrees passed by consent, and from Rs. 5-9-0 to Rs. 5 in decrees passed without consent.

In Gujránwála and Ferozepore districts decrees bearing interest at Rs. 18-12-0 per cent were passed by consent.

In the Ludhána district the average rate of interest allowed on decrees by consent is Rs. 15-2-4, which is high.

23. The pending file has risen from 17,892 in the year 1892 to 19,695 in 1893. The increase is not great, considering that about 19,000 more suits were instituted than in 1892.

Pending file

The pending file was high in the following districts :—

Hoshiárpur	1,698
Lahore	1,315
Amritsar	1,238
Rawálpindi	1,177

In all these districts, however, there was an increase in disposals which exceeded the average. In the Siálkot district the result was not quite satisfactory, as the pending file increased from 969 to 1,081, although the number of cases for disposal during 1893 was less by 440 than in 1892.

24. The average duration of suits for the whole Province, in each of the past five years, was :—

Average duration

Year.	*Days.* Contested.	Uncontested.
1889	34	22
1890	34	21
1891	32	21
1892	33	22
1893	33	20

The average duration was highest in the following districts :—

District.	*Contested.*	*Uncontested.*
Hissár	51	25
Gurgáon	48	25
Umballa	46	27
Delhi	46	20
Montgomery	45	27
Ráwalpindi	44	28
Kángra	41	31
Jhang	40	25
Jhelum	40	24
D. I. Khan	40	24
Hoshiárpur	40	23

25. The average duration in the various classes of courts, in each of the past three years, was :—

Average duration in various classes of courts

Class of Court	Contested			Uncontested.		
	1891	1892	1893	1891	1892	1893
District Judges' Courts	69	74	64	53	53	46
Courts of Sub-Judges with appellate powers.	60	60	52	38	46	40
Assistant and Extra Assistant Commissioners' Courts (special Sub-Judges or Munsifs)	47	56	52	34	36	33
District Small Cause Courts	20	20	16	17	14	13
Cantonment Small Cause Courts ..	19	24	32	17	17	22
Munsifs' Courts	28	29	30	19	21	21
Tahsildárs' Courts (Special Munsifs)	34	35	36	22	23	23
Náib-Tahsildars' Courts (Special Munsifs)	18	17	16	14	13	13
Honorary Civil Judges' Courts (Special Munsifs)	28	38	36	19	20	23

The Courts in which the average duration was highest were the following :—

	Days.	
	Contested.	Uncontested.
Lala Lachman Dás, Judge, Small Cause Court, Amritsar	393	...
Lala Durga Pershád, Extra Assistant Commissioner, Jullundur.	236	...
Lála Múlráj, Judge, Small Cause Court, Amritsar ...	197	...
Mr. A. C. Marshall, District Judge, Umballa	182	...
Mr. W. Chevis, District Judge, Umballa	182	124
Lála Pohu Rám, Extra Assistant Commissioner, Montgomery.	180	...
Háfiz Iláhi Baksh, Honorary Civil Judge, Lahore ...	179	...
Lála Amir Chand, Extra Assistant Commissioner, Jullundur.	156	..
Moulvi Muhammad Hussain, Small Cause Court Judge, Amritsar.	155	
Munshi Jowala Singh, Tahsildár, Kángra	154	...
Mr. E. Holder, Extra Assistant Commissioner, Umballa	153	106
Lt C. P. Egerton, District Judge, Ráwalpindi	149	...
Mr. J. G. Lorimer, Assistant Commissioner, Hazára ...	148	...
Lála Kirpa Rám, Extra Assistant Commissioner, Muzaffargarh.	143	...
Lala Máhráj, District Judge, Umballa	141	...
Lt.- Col. A. deC. Rennick, District Judge, Rohtak ...	140	..

Explanations of these high average durations are being called for.

C.—Agency employed in districts for the disposal of Civil Suits.

26. The following statement shows the manner in which original suits were distributed between the various grades of District Courts during each of the past three years :—

Distribution of civil work between the various classes of Courts

Number of officers employed on civil work.			Grade of Officers	Original suits decided. Number.			Percentage.			Average number of cases decided by officers of each grade.		
1891	1892	1893		1891	1892	1893	1891	1892	1893	1891	1892	1893
			District Judges and Sub Judges with appellate powers	4,608	4,362	5,301	1 8	1 7	1 9	.	..	...
			Assistant Commissioners (Special Munsifs)	3 561	3,353	2,324	1 4	1 3	0 9		..	.
			Extra Assistant Commissioners (Special Munsifs)	15 808	17,146	18 172	6 3	6 8	6 7	...	.	..
124	126	126	Tahsildárs	15,292	17,766	19,660	5 9	7 1	7 3	121	142	156
5	7	5	Naib-Tahsildars	899	819	906	0 3	0 3	0 3	180	102	181
84	84	81	Munsifs ..	169,096	158,011	167,415	66 2	62 7	62 1	2,013	1,881	1,993
7	7	7	Judges of District Small Cause Courts and Registrars	14,499	15 306	15,133	5 6	6 1	5 6	2,071	2,186	2,162
...	.	..*	Munsifs exercising Small Cause Court powers	13,457	16,157	18,217	5 3	6 4	6 7	1,682	2,019	2 277
8	8	8	Judges of Cantonment Small Cause Courts	6,659	7,079	6,436	2 6	2 8	2 3	832	884	804
56	62	73	Honorary Civil Judges	11,810	11,845	15,805	4 6	4 8	6 2	211	191	216
			Total	255,689	251,844	269,369		.		...	.	.

* Included among the Munsifs

Remarks on the distribution of business

27. There was a considerable increase in the amount of work done by Honorary Civil Judges. Tahsildárs also have done more work, and it is satisfactory to note that there is a slight improvement in the amount of original work done by principal Civil Courts.

Classes of suits

28. The following table shows the number of small causes, land suits, and unclassed suits, respectively, disposed of by each class of agency, in each of the two past years :—

Class of Court	1892			1893.		
	Small causes	Land suits	Unclassed suits	Small causes	Land suits	Unclassed suits
District Judges	381	810	1,039	714	1,262	1,111
Sub-Judges with appellate powers ..	270	1,108	754	449	1,162	693
Assistant Commissioners and Extra Assistant Commissioners	5,871	11,157	3,471	4,648	11,238	4,610
Small Cause Courts	22,385	...	...	21,569	...	...
Munsifs	161,720	824	11,624	175,387	618	9,677
Tahsil Courts	9,104	8,131	1,350	10,765	8,313	1,488
Honorary Civil Judges	10,522	795	528	14,375	757	673

Remarks on the above statement.

29. The distribution of civil business is on the whole satisfactory. Munsifs have tried considerably more small causes, and fewer land suits and unclassed suits.

It would be better if fewer small causes and more land suits were given to Tahsíldárs.

Honorary agency

30. Much assistance was rendered by the Honorary Civil Judges. The names of those who disposed of the greatest number of suits are shown in the statement below:—

No.	District.	Names of Officers.	Powers.	Number of cases disposed of.
			Munsiff.	
1	Ferozepore	Sodhi Khazán Singh ...	3rd class ...	826
2	Gujránwála	Rája Harbans Singh ...	Do. ...	694
3	Siálkot	Sardár Diál Singh	2nd class ...	677
4	Muzaffargarh	Kázi Ghulám Murtza	1st class ...	660
5	Do.	Mian Mahbub	2nd class ...	645
6	Gujránwála	Lieut.-Col. Rája Ata Ulla Khan ...	3rd class ...	635
7	Shahpur	Muhammad Khan	Do. ...	577
8	Karnál	Sayad Riáz Hussain	2nd class ...	540
9	Montgomery ...	Lála Bhág Rái	3rd class ...	536
10	Jullundur	Sardár Harnam Singh	Do. ...	513
11	Muzaffargarh	Muhammad Saif Ulla Khan ...	2nd class ...	413
12	Siálkot	Sardar Richpál Singh	3rd class ...	386
13	Karnál	Pt. Mannu Lál	2nd class ...	376
14	Hissár	Lálà Basant Lál	3rd class ...	365
15	Kángra	Rája Narindar Chand	2nd class ...	346
16	Lahore	Sardar Buláka Singh	3rd class ...	343
17	Karnál	Sayad Altáf Hussáin	1st class ...	331
18	Umballa	Sardár Harnám Singh	2nd class ...	329
19	Siálkot	Sardar Jagat Singh	Do ...	312
20	Ferozepore	Muhammad Usmán Khan ...	3rd class ...	297
21	Lahore	Pt. Bansi Lál	Do. ..	295
22	Kohát	Muhammad Zaffar Khan ...	2nd class ...	263
23	Delhi	Rái Bahádur Piare Lál	Do	262
24	Kángra	Raja Jai Singh	3rd class ...	243
25	Dera Ghází Khan ...	Sardár Fazal Ali Khan	2nd class ...	222
26	Kángra	Rája Rámpál	Do	220
27	Ráwalpindi	Sardár Sujan Singh	Do.	209
28	Shahpur	Malik Khuda Bakhsh	Do.	204
29	Ferozepur	Sodhi Indar Singh..	Do.	203
30	Amritsar	Thákur Mahán Chand	3rd class ...	203

D.—Miscellaneous Cases.

Miscellaneous cases of a civil nature.

31. The following table shows the number of miscellaneous original cases under the Code of Civil Procedure (excluding applications for the execution of decrees) instituted in District Courts in each of the past two years:—

Nature of Case.	1892.	1893.
Plaints or memoranda of appeal rejected or returned without registration	4,713	4,543
Applications for restoration to the file of a suit or appeal dismissed in default or decreed *ex-parte* (sections 99, 103, 108, 558, and 560, Civil Procedure Code)	16,890	18,625
Objections with regard to attached property (sections 278 and 487) ...	12,784	14,255
Applications for permission to sue as a pauper (section 401)	1,155	1,145
Applications for review of judgment (section 623)	1,275	1,251
Other cases	903	855
Total	37,720	40,674

Miscellaneous cases unconnected with the Code of Civil Procedure.

32. The following table shows the number of miscellaneous original cases, unconnected with the Code of Civil Procedure, instituted in District Courts in each of the past two years:—

Description of Case.	1892.	1893.
Under Regulation No. I of 1798 and XVII of 1806 (Mortgages)	2,414	2,507
Under Act VII of 1889 (Succession Certificates)	3,135	3,247
Under Acts X of 1865, V of 1881 and VI of 1889 (Probate and Administration)	100	77
Under Act VIII of 1890 (Guardian and Ward)	740	852
Under Act XXXV of 1858 (Lunatics)	33	15
Others	721	840
Total	7,143	7,538

The number of such applications was most numerous in the Gujránwála (601), Ferozepore (578) and Umballa (526) districts. Applications for guardianship have increased by 15 per cent.

33. The following table gives the details for each district:—

Detailed figures in each district.

District.	Under Regulations I of 1798 and XVII of 1806 (Mortgages).	Under Act VII of 1889 (Succession Certificates).	Under Acts X of 1865, V of 1881, and VII of 1889, (Probate and Administration).	Under Act VIII of 1890 (Guardian and Ward).	Under Act XXXV of 1858 (Lunatics).	Others.
Delhi	54	105	10	38	...	7
Gurgáon	34	79	1	2	...	25
Rohták	174	44	...	5	...	66
Karnál	55	46	3	5	...	2
Umballa	307	151	5	23	1	39
Ludhiána	34	139	2	77	2	55
Simla	...	7	15	2	...	...
Jullundur	37	167	1	39	...	2
Hoshiárpur	65	157	1	43	5	26
Kángra	55	106	1	33	2	10
Kulu	5	8	...	...	...	5
Amritsar	62	283	1	59	...	2
Gurdáspur	44	205	...	32	1	9
Siálkot	34	189	...	27	...	7
Gujránwála	343	111	...	20	1	126
Lahore	59	198	31	42	1	35
Ferozepore	358	141	...	47	...	32
Hissár	419	43	...	11	...	20
Mooltan	3	112	...	40	...	47
Jhang	...	74	...	...	...	24
Montgomery	17	60	...	1	...	4
Muzaffargarh	...	83	...	47	...	1
Jhelum	54	102	...	12	...	11
Gujrát	28	101	...	20	1	...
Shahpur	33	131	...	35	...	82
Ráwalpindi	168	62		17	...	12
D. I. Khan	19	82	...	32	...	7
D. G. Khan	12	68	...	13	...	14
Bannu	15	42	...	82	1	27
Pesháwar...	18	79	1	12	...	97
Hazára	...	56	...	15	...	6
Kohát	1	16	...	21	...	40
Total ...	2,507	3,247	77	852	15	840

34. The following table shows the number of miscellaneous cases instituted in Divisional Courts in each of the past two years :—

Miscellaneous cases in Divisional Courts

Nature of Case	1892	1893
Memoranda of appeal rejected or returned	309	159
Applications under sections 558 and 560 for restoration to the file of an appeal dismissed in default or decided *ex-parte*	160	125
Applications for permission to appeal as a pauper	50	54
Applications for review of judgment	124	91
Applications for certificates to appeal under section 40 (c), Punjab Courts Act	1,932	1,774
Cases under the Land Acquisition Act, 1870	46	53
Cases under section 14 of the Legal Practitioners Act, 1879		..
Total . ..	2,621	2,256

E.—Execution of Decrees.

35. The following table gives details of execution of decree business in District Courts, for each of the past three years :—

Results of execution proceedings

Year	Total number of applications for execution before the Courts	Transferred	Completely executed	Partially executed	Wholly infructuous	Total number disposed of	Percentage of cases completely executed to the number disposed of	Value of money decrees in execution	Amount realized: Voluntarily	Amount realized: After issue but without execution of process	Amount realized: After execution of coercive process	Percentage realized
								Rs	Rs	Rs	Rs	
1891 .	210,792	1,315	51,646	44,153	90,591	1 87,705	27	1,43,30,309	4,89,913	7,57,664	29,02,473	29
1892 .	204,261	1 367	49,834	40,345	89,200	1,80 746	27	1,36,00,089	4,19 173	6,54 334	30,88,518	30
1893 ..	227,997	1,451	53,970	45,939	1,02 890	2,04,250	26	1,42,19,514	8 52 219		35 49,050	31

36. There is a large increase in the number of applications for execution, corresponding with the increase in institution of original suits. Nearly the same proportion of applications has been disposed of as in the previous year. The percentage of decrees completely executed has fallen from 27 to 26; the proportion of decrees partially executed is the same as in 1892, namely 22. The percentage of wholly infructuous applications has risen from 49 to 50 per cent. It was highest in the following districts :—

Remarks on the working

Shahpur	69 per cent
Jhang	66 ,,
Ferozepore	58 ,,
Hissár	58 ,,
Hazára	58 ,,
Umballa	57 ,,
Mooltan	57 ,,
Jhelum	56 ,,
Gujrát	56 ,,
Dera Ismail Khan	56 ,,
Jullundur	55 ,,
Muzaffargarh	55 ,,

The large increase in the first and third sub-heads of "amount realized" is owing to the form of the statement having been revised during the year, the column "after issue but without execution of process" having been omitted, and the figures which would have been shown in that column being included in the columns "voluntarily" and "after execution of coercive process."

There has been an increase in the percentage realized from 30 to 31. The percentage was most satisfactory in:—

Ludhiána	47 per cent.
Pesháwar	46 ,,
Kulu	44 ,,
Simla	42 ,,

and least so in—

Jhang	20 per cent.
Umballa	21 ,,
Gujránwála	21 ,,

Mode of coercion employed

37. The following table shows the processes resorted to for the execution of decrees in each of the last two years:—

	1892.	1893.
On which process was issued, but not executed	56,346	59,976
,, moveable property was attached, but subsequently released ...	38,809	41,219
,, movable property was sold	10,188	10,864
,, immoveable property was attached, but subsequently released	6,316	7,719
,, hereditary or joint acquired property in land was sold	73	39
,, other immoveable property was sold	2,668	2,975
,, action was taken under sections 305 or 306, Civil Procedure Code	198	195
,, possession was given of moveable property	378	278
,, Ditto ditto of immoveable property	6,974	8,021
,, specific performance was enforced...	88	159
,, partition was effected	65	50
,, execution was effected otherwise than as above	14	52
,, judgment-debtors were arrested but released without imprisonment	3,117	3,986
,, judgment-debtors were imprisoned	378	389

Realization in money decrees.

38. The following table shows the modes of realization in money decrees:—

Mode of Realization		Amount realized		Percentage	
		1892	1893	1892	1893
		Rs	Rs		
Paid in voluntarily		4,19,173	8,52,249	11	20
Realized	After issue, but without execution of process	6,54,334	.	15	.
	By attachment only	21,34,024	26,53,969	51	60
	By sale	7,78,867	6,96,492	18	15
	By arrest only	1,52,848	1,74,285	4	4
	After imprisonment	22,779	24,304	1	1

The variations are owing to the omission this year from the statement of the head "realized after issue, but without execution of process," as explained in paragraph 36 above.

Arrest and imprisonment.

39. The following table gives details of the number of judgment-debtors arrested and imprisoned and of the terms of imprisonment awarded :—

Year	Number of judgment-debtors arrested		Number of persons detained			Average duration of detention in days
	Released without imprisonment.	Imprisoned	Up to one month.	Between one and three months	Between three and six months.	
1891	3,427	362	216	87	69	52
1892	3,117	378	165	117	112	44
1893	3,986	389	221	117	66	42

It is satisfactory to note that, though arrests have increased 28 per cent, cases of imprisonment have increased by only 3 per cent. The number of detentions for more than one month has decreased, and so has the average duration of detention.

Distribution of execution of decree work amongst the various grades of Courts

40. The following table shows the distribution of execution of decree work amongst the various grades of Courts, and the results obtained in each :—

Class of Court	Number of applications disposed of		Percentage in which satisfaction was obtained in whole or in part		Value of money decrees in execution		Percentage realized	
	1892	1893	1892	1893	1892	1893	1892	1893
Sadr Courts	20,985	22,905	53	53	52 91,153	52,80,265	28	29
Small Cause Courts	20,952	16,695	60	59	6 92,242	5,37,673	39	40
Tahsil Courts	8,058	9,075	59	61	2 35,538	2,32,965	37	37
Munsifs' Courts	125 401	148,862	47	45	71,45 230	78 65,309	31	30
Honorary Courts	5 350	6 713	53	57	2,35 926	3,03,302	35	36

F.—Insolvency Proceedings.

Insolvency proceedings under the Civil Procedure Code

41. The following table gives the number of applications for declaration of insolvency under the Code of Civil Procedure filed, disposed of, and pending at the close of the year, for each of the past three years :—

Year	Pending from previous year.	Filed				Disposed of.	Pending
		By judgment-debtors		By decree-holders	Total for disposal		
		Under arrest or imprisonment	Against whose property an order of attachment had been made				
1891 .	89	11	299	12	411	323	88
1892	88	19	332	4	443	333	110
1893	*119	14	331	21	485	379	106

* Includes 9 cases pending in Small Cause Courts.

42. The insolvency business was disposed of as follows :—

Manner of disposal.

		1892.	1893.
Transferred	... ...	...	...
Withdrawn or otherwise not prosecuted	...	134	114
Granted — A receiver not being appointed	...	39	62
Granted — A receiver being appointed	...	49	61
Rejected — Penal proceedings not being taken	...	109	140
Rejected — Penal proceedings being taken	...	2	2

The scheduled debts stood at Rs. 7,35,235 as compared with Rs. 5,72,293 in the preceding year, and of this sum 16 per cent were satisfied or disallowed during the year as against 14 per cent in the preceding year. Receivers held Rs. 45,202, of which Rs 34,774, or 76 per cent were disbursed during the year.

G.—Attendance of Witnesses.

43. The subjoined table gives particulars as to witnesses who attended the Courts in original civil suits during each of the past two years :—

Attendance of witnesses

	Number.		Difference	Percentage	
	1892	1893		1892	1893
Witnesses who appeared voluntarily	134,011	132,519	—1,492	34	31
Witnesses for whose appearance summons was issued ...	258,818	283,418	+24,600	66	69
Total ...	392,829	415,937	+23,108	...	

PART II.—SMALL CAUSE COURTS.

44. The following table shows the original work for disposal by Provincial and Cantonment Small Cause Courts, and the manner of disposal, for each of the two past years. The work done by Munsifs in exercise of special Small Cause Court jurisdiction under section 30 of the Punjab Courts Act, 1884, is also shown in the table :—

Original civil business of Small Cause Courts

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Number of Civil Suits on the file												Average duration	
Court	Pending from last year	Instituted	Re-admitted under sections 99 and 103, Act XIV of 1882, or the Small Cause Courts Act	Received by transfer	Total.	Disposed of without trial	Without contest.	With contest	Total disposed of	Pending at the close of the year	Pending for more than 3 months at the close of the year.	Percentage of contested cases	Contested.	Uncontested
District Small Cause Courts 1892	986	15,063	251	...	16,300	2 332	8,982	3,992	15,306	994	52	26	20	14
District Small Cause Courts 1893 ...	994	14,986	193	..	16,173	2,343	8,914	3,876	15,133	1,040	79	25	16	13
Munsifs 1892 .	797	15,862	431	..	17,090	3,890	7,958	4,300	16,157	933	29	26	19	16
Munsifs 1893 ..	933	17,818	532	.	19.283	4,413	9,362	4,442	18,217	1,066	52	24	21	21
Cantonment Small Cause Courts 1892	381	7,022	98	...	7 501	1,066	4,152	1,861	7,079	422	17	26	24	17
Cantonment Small Cause Courts 1893 .	422	6,302	141	...	6.865	1,058	3,796	1,582	6,436	429	12	24	32	22

45. In District Small Cause Courts institutions were somewhat fewer in the year under report. Disposals kept pace with institutions, and the average duration was lower than in 1892. In Munsifs' Courts there was an increase of 2,193 in the number of cases for disposal. The pending file rose from 933 to 1,066, and the average duration also rose slightly. In Cantonment Small Cause Courts there were 6,865 cases for disposal as against 7,501 in 1892. The average duration increased from 24 to 32 in contested, and from 17 to 22 in uncontested, cases.

Remarks on the working.

Among the Cantonment Small Cause Courts the average duration is highest in the following :—

	Contested.	*Uncontested.*
Jullundar	69	26
Umballa	47	...
Ráwalpindi	44	30

In the Umballa Court there has been a considerable decrease in the number of institutions in the last three years, and disposals have decreased in proportion. The percentage of contested cases in that Court, 13 per cent, is very low.

The Registrars of the Lahore, Amritsar, Delhi and Simla Small Cause Courts disposed of work as follows :—

	1892.	1893.
Lahore	2,918	2,932
Amritsar	1,075	1,187
Delhi	1,788	1,140
Simla	516	457

The decrease of 648 in the number of cases disposed of by the Registrar of the Delhi Small Cause Court is due to the fact that for about three months in the year there was no Registrar in that Court.

The following Judges of Small Cause Courts also decided ordinary district cases :—

	Cases.
Amritsar	9
Simla	1
Delhi	89

The working of the Small Cause Courts has been satisfactory. The reports are favourable and seem to show that the Courts are gaining in popularity.

PART III.—APPELLATE COURTS SUBORDINATE TO THE CHIEF COURT.

46. The following statement shows the number of appeals against decrees instituted in District and Divisional Courts during each of the past four years :—

Institutions of appeals from decrees in District and Divisional Courts.

1	2	3	4	5	6	7
YEAR.	*Number of appeals instituted.*			Total number of contested cases decided.	Total number of first appeals.	Percentage of first appeals to appealable orders.
	In District Courts.	In Divisional Courts.	Total.			
1890	9,687	6,931	16,618	71,047	16,618	23
1891	8,557	6,676	15,233	66,545	15,233	23
1892	8,227	6,934	15,161	64,755	15.161	23
1893	7,666	6,833	14,499	65,938	14.499	22

A.—Appellate work in District Courts.

Work disposed of and pending; average duration.

47. The figures given below show, for District Courts, the number of appeals for disposal, disposed of, and pending, respectively at the close of the year, with the average duration in days :—

Year.	Number of appeals.			Average duration of appeals.
	For disposal.	Disposed of.	Pending.	
1890	10,640	9,659	981	32
1891	9,538	8,843	695	30
1892	8,922	8,349	573	29
1893	8,510	7,723	787	31

Remarks on the appellate work.

48. The number of appeals in District Courts has been steadily declining for the last four years. The pending file increased by 214 cases, and the average duration rose from 29 to 31 days. Appellate work was heavy in Jullundur (674) and Hoshiárpur (634) districts, and light in Simla (1), Kulu (29), Montgomery (72), Gurgáon (75), and Kohát (94).

The average duration of appeals was very high in the Umballa (71) and Jullundur (52) districts. No explanation has been given for this by the District Judges. In 1892 also the average duration was high in the Umballa District, namely 50 days.

Manner of disposal.

49. The manner of disposal, in each of the two past years, was as follows :—

	Percentage.	
	1892.	1893.
Transferred	0·3	0·2
Summarily rejected under section 551, Civil Procedure Code	19·4	18·8
Struck off for default or under section 557, Civil Procedure Code, or otherwise not prosecuted ...	5·3	5·2
Order of lower Court confirmed, *ex-parte* ...	1·6	1·0
,, ,, ,, after contest	35·3	35·5
,, ,, ,, modified	9·2	10·9
,, ,, ,, reversed	19·2	19·6
Remanded under section 562, Civil Procedure Code ...	9·7	8·8

Miscellaneous appeals.

50. In addition to the appeals from decrees, there were 930 appeals from orders, which came before District Courts for disposal during the year 1893, as compared with 838 in 1892. Of these 835 were disposed of and 95 left pending at the close of the year. The average duration was the same as in 1892, namely 24 days.

B. Appellate work of Divisional Courts.

Appeals from decrees in Divisional Courts

51. The number of appeals from decrees pending from the previous year, the number instituted and disposed of during the year, and the number pending at the close of the year, in Divisional Courts, for each of the past two years, are given below :—

Year.	Pending from previous year.	Instituted, re-admitted, &c, during the year	Total for disposal.	Disposed of	Pending at the close of the year.
1892	1,477	7,249	8,726	7,406	1,320
1893	1,320	7,170	8,490	7,222	1,268

The number of appeals has decreased, as it has in the District Courts.

Details of working in each Division

52. The following statement gives details of the number of appeals instituted, decided, and pending, in each Civil Division :—

Division	Pending from 1892	Instituted, re-admitted and received by transfer during 1893.	Disposed of in 1893	Pending at the close of the year 1893
Delhi	82	705	650	137
Umballa	123	785	724	184
Jullundur	116	454	535	35
Hoshiárpur (including Kulu and special Court, Kángra)	83	703	718	68
Amritsar (assisted by Jullundur)	168	571	641	98
Siálkot („ Lahore)	206	574	669	111
Lahore	83	426	374	135
Ferozepore	55	511	483	83
Mooltan	94	314	322	86
Jhelum (assisted by Siálkot)	153	833	858	128
Ráwalpindi	79	356	351	84
Deraját	52	480	491	41
Pesháwar (including special Court, Kohát) ...	26	458	406	78
Total ...	1,320	7,170	7,222	1,268

Remarks on the above.

53. There has been a general improvement in the amount of work done, and disposals are in advance of institutions, the pending file being reduced by 52 cases.

The average duration of appeals in Divisional Courts has continued to improve, being only 70 days as against 76 days in 1892.

The average duration was highest in the Siálkot (110) and Amritsar (106) Divisions.

The following table shows how appeals were disposed of in Divisional Courts :—

	Percentage. 1892.	1893.
Transferred, struck off for default, and otherwise not prosecuted	5·9	5·4
Order of the lower Court upheld	59·7	61·1
Ditto ditto modified	7·2	6 3
Ditto ditto reversed	20·4	20·8
Cases remanded under section 562, Civil Procedure Code	6·8	6·4

54. The following table gives details regarding the value and cost of appeals decided in Divisional Courts during the year 1893 :—

Value and cost of appeals in Divisional Courts.

Scale of valuation.	Number of appeals.		Aggregate value of appeals.		Aggregate cost of appeals.		Average value of appeals.		Average cost of appeals.		Percentage of cost to value.	
	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.
Not exceeding Rs. 10	3	936	23	5,243	8	4,492	8	5	3	4	35	86
" " 50	68	1,586	2,287	43,318	567	15,097	33	27	8	9	25	35
" " 100	83	854	7,136	62,393	1,180	15,953	86	73	14	18	17	26
" " 500	287	1,350	87,253	2,91,357	10,791	56,179	304	215	37	41	12	19
" " 1,000	211	130	1,42,954	97,984	17,583	13,322	677	753	83	102	12	14
" " 5,000	86	70	1,51,406	1,34,790	16,704	14,907	1,760	1,925	194	213	11	11
Appeals of which the value cannot be fixed ...	52	1,115	...	...	905	30,317	...	...	17	27	..	...
Total ... 1893	790	6,041	3,91,059	6,35,085	47,738	1,50,267	530	130	60	24	12	24
Total ... 1892	857	6,178	4,31,157	6,02,030	51,602	1,39,801	538	120	60	22	12	23

55. The number of appeals from orders, for disposal before the Divisional Courts, fell from 796 in 1892 to 714 in 1893. Of these 613 were from orders under section 588 of the Civil Procedure Code, and 101 from other miscellaneous orders. Six hundred and twenty-three of those appeals were disposed of, leaving a pending file of 91 cases at the close of the year. The average duration was 49 days as against 45 days in 1892.

Miscellaneous appeals.

PART IV.—CIVIL BUSINESS OF THE CHIEF COURT.

56. The following figures give the institutions of civil business in the Chief Court for each of the last five years :—

Institution of civil business in Chief Court.

Year.	Original civil suits.	Appeals from decrees.	Appeals from orders.	Applications for revision.	Miscellaneous cases.	
					References, under sections 617 and 646, B of the Civil Procedure Code and sections 99 and 100 of the Tenancy Act.	Others.
1889	5	1,282	143	1,838	91	784
1890	5	1,357	198	1.713	108	631
1891	5	1,272	207	1,738	111	542
1892	4	1,200	185	1,835	116	447
1892	2	1,279	226	1,895	147	444
Difference ...	—2	+79	+41	+60	+31	—3

57. The following table shows the number of appeals from decrees and orders above and below Rs. 5,000 in value, respectively :—

Appeals from decrees and orders

		1892	1893
Appeals from decrees	First appeals (where value of suit is Rs 5,000 or more) ..	73	67
	Further do (ditto ditto under Rs 5,000) ...	1,040	1,109
Appeals from orders	First appeals (where value of subject matter is Rs 5,000 or more, or from an order passed under a Special Act)	96	90
	Further do ditto ditto) ...	87	136
Appeals on certificate of Divisional Judge	... ..	89	103

58. The following is a general statement of civil appellate work in the Chief Court, showing institutions and disposals, with the manner of disposal of appeals from decrees and orders :—

General statement of civil appellate work

1	2	3	4	5	6	7	8	9	10	11	12	13
Description of appeals	Year	Number of appeals instituted	Number of appeals for disposal	Number of appeals disposed of	Percentage of appeals: Transferred	Dismissed for default	Rejected	Confirmed	Varied	Reversed.	Remanded.	Average duration
First Appeals — From decrees	1892	73	166	76	8	5	8	43	9	20	7	449
From orders ...	1892	96	138	98	1	5	60	13	2	9	10	124
Total	1892	169	301	174	4	5	37	26	5	14	9	267
From decrees ..	1893	67	157	65	7	7	11	41	11	18	5	468
From orders .	1893	90	130	110	4	8	48	10	1	15	14	110
Total ..	1893	157	287	175	5	8	34	22	5	16	10	242
Further Appeals. — From decrees ..	1892	1,127	2,286	1,270	.	2	38	29	6	19	6	300
From orders	1892	89	135	102	...	3	44	18	2	24	9	160
Total	1892	1,216	2,421	1,372	..	3	38	27	5	20	7	290
From decrees ...	1893	1,212	2,228	1,182	...	2	38	28	5	23	4	278
From orders ...	1893	136	169	120	1	3	54	9	2	16	15	120
Total .	1893	1,348	2,397	1,302	...	2	40	26	5	22	5	261
Grand Total ...	1892	1,385	2,725	1,546	1	3	38	27	5	19	7	287
	1893	1,505	2 684	1,477	1	3	39	25	5	21	6	260

Appeals for disposal and disposed of; pending file.

59. Tables A and B show, in abstract form, the total appellate business for disposal and disposed of, including the pending file at the close of the year 1893, and details of the pending file as it stood on the 31st December 1893.

A.—APPELLATE BUSINESS FOR DISPOSAL AND DISPOSED OF DURING THE YEAR 1893.

1	2	3	4	5	6	7	8
FOR DISPOSAL.			DISPOSED OF.				
Pending.	Instituted.	Total.	Rejected without summoning respondent.	By a single Judge after summoning respondent.	By a Bench after summoning respondent.	Pending at the close of the year.	Total.
1,179	1,505	2,684	606	218	653	1,207	2,684

B.—DETAIL OF PENDING FILE ON 31ST DECEMBER 1893, SHOWN ABOVE (COLUMN 7).

Appeals not admitted or rejected on 31st December 1893.	Appeals admitted to a Bench.	Appeals admitted to a single Judge.	Total pending.
225	914	68	1,207

Details of disposal of civil appeals

60. The following table gives details of disposal of civil appeals for each of the last two years:—

YEAR.	NUMBER OF APPEALS.			
	Rejected by a single Judge in Chambers.	*Decided in Court.*		Total.
		By a single Judge.	By a Bench	
1892	618	182	746	1,546
1893	606	218	653	1,477

Further details as to the disposal of civil appeals are given in the following table:—

YEAR.	CHAMBER WORK. *Number of appeals.*				Total.	Number of appeals decided by Benches.
	Rejected at a preliminary hearing in Chambers.	Decided by a single Judge after notice to respondent.	Admitted to hearing before a Bench.	Admitted to hearing before a single Judge.		
1892	618	182	650	169	1,619	746
1893	606	218	742	199	1,765	653

61. The pending file, compared with previous years, was as follows:—

Pending file

Year.	Number of appeals pending.			
	In Chambers.	Before Court.	Over three months.	More than a year.
1891 ...	319	1,021	1,078	366
1892 ...	267	912	907	315
1893 ...	225	982	950	285

62. The following table gives details regarding the value and cost of appeals decided during the year :—

Value and cost of appeals

Scale of Valuation.	Number of appeals.		Aggregate value of appeals.		Aggregate cost of appeals.		Average value of appeals.		Average cost of appeals.		Percentage of cost to value.	
	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.	For money or moveable property.	In other suits.
Not exceeding Rs. 10	...	18	...	92	...	188	...	5	...	10	...	204
" " 50	...	89	..	2,874	...	1,113	...	32	...	13	...	39
" " 100	...	102	...	7,352	...	1,871	...	72	...	13	..	19
" " 500	4	444	1,362	1,17,669	181	11,498	340	265	45	26	13	10
" " 1,000	5	174	3,524	1,22,255	433	7,144	705	703	87	41	12	6
" " 5,000	62	269	1,08,311	5,02,365	12,510	20,327	1,747	1,868	202	76	12	4
" " 10,000	19	22	1,42,250	1,52,478	7,621	7,735	7,487	6,931	401	352	5	5
" " 1,00,000	10	9	1,94,597	3,91,881	7,239	4,725	19,460	43,542	724	525	4	1
Exceeding " 1,00,000	..	...	...	..	...	...	...	...	...	...	...	..
Appeals of which the value cannot be fixed ...	..	11	.	..	...	270	...	...	...	25	..	...
Total ... 1893	100	1,138	4,50,044	12,96,966	28,014	54,371	4,500	1,140	280	48	6	4
Total ... 1892	112	1,223	7,30,967	11,20,257	36,814	60,730	6,526	916	329	50	5	5

63. The following statement gives details of the disposal of applications for revision, under section 622 of the Civil Procedure Code, for each of the last two years :—

Revision

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Year	For disposal.			Sent to a Bench.		Rejected in Chambers		Dismissed by a Bench.		Order of lower Court.		Remanded for fresh decision.	Total disposed of.	Pending at the end of the year.
	Pending from last year.	Instituted during the year.	Total.	Without calling for files.	After calling for files.	Without calling for files.	After calling for files.	In default.	On the merits.	Varied.	Reversed.			
1892 ...	393	1,835	2,228	91	171	1,318	337	5	56	8	50	117	1,891	337
1893 ...	337	1,895	2,232	149	129	1,299	261	6	77	7	46	171	1,867	365

Security was demanded in 927 applications before admission.

64. Other civil business disposed of by the Chief Court, during each of the last two years, is shown below :—

Other civil business

Description of suits.	1892.	1893
Original matrimonial cases	4	4
References under section 17, Act IV of 1869	...	...
Uncontested applications for probate and letters of administration	17	16
Contested do do do ...	...	...
References under section 617, Civil Procedure Code ...	6	7
Applications for review, for permission to appeal as a pauper, to stay execution of decree and other miscellaneous applications	567	557
Total ...	594	584

PART V.—GENERAL.

65. The annexed statement shows, for District Courts, the number of processes issued and the receipts and expenditure for each of the years 1892 and 1893 :—

Process serving establishment

Year.	Number of processes issued			Value of stamps for the service of processes filed during the year.	Total expenditure
	Civil.	Criminal	Revenue		
				Rs	Rs
1892	1,643,205	181,253	167,909	4,71,944	2,26,761
1893	1,582,539	216,168	185,501	4,84,047	2,06,197

In the Lahore district there was an extraordinary decrease of 163,064 in the number of processes issued. The District Judge has been asked to explain this large decrease. In the Amritsar district also there was a decrease of 48,000 in the number of civil processes issued. In the Gujránwála district the number of processes increased by 29,638, the increase being mainly in civil suits. In the Divisional Courts the sum of Rs. 7,554 was realized from process fees, while a sum of Rs. 3,774 was expended on the establishment and postage. In the Commissioners' Courts the sum of Rs. 3,315 was realized from process fees, while a sum of Rs. 1,445 was expended on establishment and postage. In the Chief Court the sum of Rs. 3,425 was realized on account of process fees, of which a sum of Rs. 240 was expended on postage. The net profit to Government was Rs. 2,86,685 during the year 1893, as compared with Rs. 2,53,737 in the year 1892.

66. The reports on the work of the process-serving establishment are, on the whole, favourable.

Efficiency of process-serving establishment

In Book Circular No. I—701 G. issued on the 12th February 1894, rules have been made by which the establishment has been increased, and the pay of Názirs, Náib-Názirs and process-servers has been raised. The new rules take effect from the 1st March 1894, and the increase in expenditure will be met from the commissions received on sales in execution of decrees. These commissions instead of being paid, as hitherto, to the officers conducting the sales will be credited to Government. It is hoped that the new scheme will result in further improvement in the working of the process-serving establishment.

In the Ludhiána district a deficit was found in the cash balance of a Náib-Názir, who had to be dismissed. A Náib-Názir in the Hissár district was also dismissed for misconduct. The question of improving the system of accounts of ministerial officers of Courts is still under the consideration of the Judges.

67. The income for the last two years, in Divisional and District Courts, from fees for the inspection of records was as follows :—

Fees for inspection of records

			Income derived from inspection fees
			Rs
Divisional Courts ...	..	1892	9,752
		1893 ..	12,450
	Difference ...	...	+ 2,698
District Courts ...	...	1892 ..	15,336
		1893 ..	58,085
	Difference ..	...	+ 42,749

68. Divisional and District Judges appear to have given as much time to the inspection of subordinate Courts as the state of business permitted.

Inspection of Courts

69. The reports submitted from the following districts and Divisions were carefully prepared and call for special notice :—

Divisional and District reports noticed

Districts	*Divisions*
Ludhiána	Umballa.
Shahpur	Deraját.
Dera Ismail Khan	Hoshiárpur

The usual selections from Divisional and District reports will be found in Appendix A.

I have the honor to be,

Sir,

Your most obedient servant,

A. E. MARTINEAU,

Offg. Registrar.

PROVINCIAL STATEMENT No. I.—(CIVIL).

STATEMENT SHOWING THE NUMBER OF JUDICIAL DIVISIONS AND THE NUMBER OF OFFICERS EXERCISING JURISDICTION IN CIVIL CASES ON THE LAST DAY OF THE YEAR 1893 AND THE WORK DONE DURING THE YEAR.

1	2	3	4	5	6	7	8	9	10	11	12
Class of Court.	Area.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of Districts.	Number of districts.	Number of sub-districts.	Number of Officers.		Total number of cases decided.			
								Original.		Appeal.	
						European.	Native.	Regular.	Miscellaneous.	Regular.	Miscellaneous.
Honorary Courts	110,667	20,860,913	14	32	126	1	72	15,805	1,537	...	...
Paid Sub-divisional Courts: Munsifs ...						...	84	185,632	28,603	...	...
Paid Sub-divisional Courts: Tahsil						...	131	20,566	2,922	...	...
Small Cause Courts						10	5	21,569	1,060	...	...
District Courts other than Chief Courts of Districts.						29	92	20,496	5,308	...	...
Chief Courts of Districts						26	19	5,301	9,423	7,723	835
Total ...						66	403	269,369	48,853	7,723	835
Divisional Courts						14	...	3	2,248	7,222	623
Chief Court						5	...	4	16	1,247	230
Grand Total ...						85	403	269,376	51,117	16,192	1,688

PROVINCIAL STATEMENT No. II.—PART I.—(CIVIL).

STATEMENT SHOWING THE NUMBER AND DESCRIPTION OF CIVIL ORIGINAL CASES INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1893.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	Suits for money or moveable property.				Title and other suits												
	Contract in writing.									Matrimonial suits.		Testamentary suits.					
Class of Court.	Registered.	Unregistered.	Other suits.	Total.	Suits for possession or recovery of moveable property other than pre-emption suits and suits between mortgagor and mortgagee for possession.	Suits to establish a right to pre-emption.	Mortgage suits, e. g., for foreclosure or redemption, &c., and other suits for possession by mortgagor or mortgagee.	Suits for specific relief other than suits shown in column 6 to 8.	Suits relating to religious and other endowments.	Suits for enforcement of matrimonial rights excluding suits for judicial separation and suits for dower	Suits for dissolution of marriage.	Contested suits under Act X of 1865, or Act V of 1881.	Any other suits to enforce wills not falling under Act X of 1865, or Act V of 1881.	Any other suits not included in the foregoing columns.	Total.	Grand Total.	Number of suits shown in column 5 which were brought by bankers and shopkeepers against agriculturists.
Honorary Courts	185	6,024	7,786	13,995	545	182	322	61	1	65	8	...	..	36	1,220	15,215	7,488
Paid Sub-divisional Courts { Munsifs ...	1,257	95,041	74,504	170,802	3,357	356	1,499	170	2	1,835	1	...	.	230	7,450	178,252	103,635
Paid Sub-divisional Courts { Tahsil	51	3,081	7,522	10,654	4,875	1,077	2,548	179	1	37	1	...	...	17	8,735	19,389	4,179
Small Cause Courts	393	7,892	13,003	21,288	...	...	...	...	...	...	...	.	...	...	...	21,288	391
District Courts other than Chief Courts of Districts	534	2,005	3,233	5,772	5,828	1,420	3,422	762	...	988	32	1	14	824	13,293	19,065	2,465
Chief Courts of Districts	228	515	1,014	1,757	1,183	363	612	121	1	468	6	10	5	351	3,120	4,877	507
Total ...	2,648	114,558	107,062	224,268	15,788	3,398	8,403	1,293	7	3,393	48	11	19	1,458	33,818	258,086	118,665
Divisional Courts	...	...	..			...	.	..	..	2	1				3	3	
Chief Court...	...	...	...			...	...	...	...	1	1			.	2	2	
Grand Total ...	2,648	114,558	107,062	224,268	15,788	3,398	8,403	1,293	7	3,396	50	11	19	1,458	33,823	258,091	118,665

PROVINCIAL STATEMENT No. II, PART II.—(CIVIL).

STATEMENT SHOWING THE NUMBER AND DESCRIPTION OF MISCELLANEOUS CASES INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB DURING THE YEAR 1893.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	Under the Code of Civil Procedure.											Other miscellaneous cases.											
Class of Court.	Plaints rejected or returned without registration.	Application for the withdrawal or transfer of a suit or appeal.	Applications under sections 99, 103, 108, 558, and 560, for the restoration to the file of a suit, appeal or application for execution dismissed on default or decreed *ex-parte*.	Claims to, and objections to the attachment of attached property under sections 278 and 487.	Complaints under sections 328, 332, 334 and 335, except when in case of obstruction, by a claimant in good faith, the case is under section 331, to be registered as a suit.	Enquiries under section 258, on the application of the judgment-debtor, as to payment to the decree-holder.	Applications under section 401 for permission to sue as a pauper.	Applications under section 592 for permission to appeal as a pauper.	Applications under section 623 for review of judgment.	Proceedings under sections 170, 174 and 643.	Total.	Cases regarding redemption of mortgage under Regulation I of 1798.	Cases regarding foreclosure of mortgage under Regulation XVII of 1806.	Application for certificates of guardianship of minors, or of administration of their property under Act VIII of 1890 and for the revocation of such certificates.	Applications regarding the care of lunatics' estates, and the guardianship of their persons under Act XXXV of 1858.	Cases under Succession Certificates Act, VII of 1889.	*Uncontested* applications for probates and letters of administration under Acts X of 1865 and V of 1881, as amended by Act VI of 1889, and applications for the revocation of such probates and letters.	Other cases connected with the custody and disposal of intestate property.	Cases under section 14 of the Legal Practitioners Act, 1879.	Applications for certificates under section 40 (*c*) of the Punjab Courts Act.	Cases under the Land Acquisition Act, 1870.	Miscellaneous cases not provided for in the foregoing columns.	Total.
Honorary Courts	196	12	837	425	...	...	11	6	85	3	1,525	...	...	..	...	...	..	...	...	..	..	19	19
Paid Sub-Divisional Courts. Munsifs ..	1,918	11	13,176	10,979	58	342	615	1	541	137	27,778	.	...	...	...	...	...	...	...	...	...	370	370
Paid Sub-Divisional Courts. Tahsil ...	654	5	1,554	509	...	7	5	...	89	12	2,835	..	...	...	...	...	..	..	...	...	...	61	61
Small Cause Courts	30	7	417	327	3	10	3	...	238	2	1,037	1	...	..	...	...	...	...	...	...	...	...	1
District Courts other than Chief Courts of Districts.	1,154	9	1,984	1,397	5	10	355	...	157	4	5,075	1	49	76	1	181	8	...	..	...	...	56	372
Chief Courts of Districts ...	591	158	657	618	3	10	156	23	191	17	2,424	76	2,380	776	14	3,066	69	11	...	...	...	323	6,715
Total ...	4,543	202	18,625	14,255	69	379	1,145	30	1,251	175	40,674	78	2,429	852	15	3,247	77	11	...	...	...	829	7,538
Divisional Courts	159	...	125	...	...	...	...	54	91	...	429	...	...	...	...	..	...	...	...	1,774	53	..	1,827
Chief Court	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	.	14	..	..	...	...	...	14
Grand Total ...	4,702	202	18,750	14,255	69	379	1,145	84	1,342	175	41,103	78	2,429	852	15	3,247	91	11	...	1,774	53	829	9,379

PROVINCIAL STATEMENT No. III.—(CIVIL).

STATEMENT SHOWING THE VALUE OF SUITS INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB DURING THE YEAR 1893.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
	NUMBER OF SUITS INSTITUTED.																							
	Not exceeding Rs. 10.				*Not exceeding Rs. 50.*				*Not exceeding Rs. 100.*				*Not exceeding Rs. 500.*				*Not exceeding Rs. 1,000.*				*Not exceeding Rs. 5,000.*			
CLASS OF COURT	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment	For other immoveable property.	Other suits	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.
Honorary Courts	3,376	110	33	2	7,334	214	157	41	2,467	115	114	19	788	203	80	49	30	9	18	2	...	...	...	..
Paid Sub-divisional Courts { Munsifs ..	32,220	40	410	78	84,894	226	2,097	1,131	31,751	121	1,283	547	21,674	56	842	360	263	...	10	129	...	...	...	...
Paid Sub-divisional Courts { Tahsil ...	2,856	1,852	366	67	5,768	3,080	644	267	1,985	1,988	288	128	45	13	8	5	...	..	...	...	...	...	...	...
Small Cause Courts	5,794	...	...	...	10,249	...	...	...	3,053	...	..	...	2,192	...	..	...	...	...	...	...	...	...	...	...
District Courts other than Chief Courts of Districts.	316	417	42	22	1,071	1,567	204	104	921	1,463	251	234	2,253	4,562	526	429	1,046	1,138	146	339	165	122	54	47
Chief Courts of Districts	82	18	1	...	155	75	9	8	45	86	13	38	229	697	100	139	507	378	73	170	675	490	76	62
Total ...	44,644	2,437	852	170	109,471	5,162	3,111	1,551	402 22	3,773	1.949	966	27,181	5,531	1,556	982	1,846	1,525	247	640	840	612	130	109
Divisional Courts	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...
GRAND TOTAL ...	44,644	2,437	852	170	109,471	5,162	3,111	1,551	40,222	3,773	1,949	966	27,181	5,531	1,556	982	1,846	1,525	247	640	840	612	130	109

PROVINCIAL STATEMENT No. III.—(CIVIL)—*concluded.*

STATEMENT SHOWING THE VALUE OF SUITS INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB DURING THE YEAR 1893.

Class of Court	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
	NUMBER OF SUITS INSTITUTED—*concluded.*																			TOTAL VALUE OF SUITS.			
	Not exceeding Rs. 10,000				*Not exceeding Rs 1,00,000*				*Exceeding Rs 1,00,000*				*Suits of which the value cannot be fixed*			*Total*							
	For money or moveable property	For land assessed or subject to assessment	For other immoveable property.	Other suits	For money or moveable property.	For land assessed or subject to assessment	For other immoveable property	Other suits	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits	For land assessed or subject to assessment.	For other immoveable property	Other suits	For money or moveable property	For land assessed or subject to assessment	For other immoveable property	Other suits	For money or moveable property	For land assessed or subject to assessment.	For other immoveable property	Other suits
																				Rs	Rs.	Rs	Rs
Honorary Courts...	...	..	..	...	..	.	...	..	.	...	...	...	11	16	27	13,995	662	418	140	5,74,502	93,640	43,119	13,989
Paid Sub-divisional Courts { Munsifs ..	..	.	..	..	..	..	..	..	...	...	..	..	2	75	43	170,802	445	4,717	2,288	83,20,892	25,223	3,85,441	2,14,520
Paid Sub-divisional Courts { Tahsil ...	..	.	..	..	...	.	.	..	..	...	.	..	29	.	.	10,654	6,962	1,306	467	3,23,363	2,55,237	45,865	17,290
Small Cause Courts		..	.	...	..	.	...	...	.	.	.	...	.	..	.	21,288	...	..	...	10,06,466	..	...	.
District Courts other than Chief Courts of Districts	...	...	5	...	...	.	...	...	...	...	...	...	664	167	789	5,772	9,933	1,395	1,965	15,96,031	22,24,876	4,00,813	4,67,218
Chief Courts of Districts	47	28	12	12	16	18	14	7	1	...	..	1	186	54	355	1,757	1,976	352	792	24,17,918	19,20,411	5,96,226	12,01,060
Total ...	47	28	17	12	16	18	14	7	1	...	...	1	892	312	1,214	224,268	19,978	8,188	5,652	1,42,39,172	45,19,387	14,71,464	19,14,077
Divisional Courts	...	...	...	..	...	...	..	...	..	.	..	...	..	..	3	.	...	...	3	..	...	...	...
Chief Court	..	...	...	...	...	...	..	..	...	...	..	...	...	...	14	..	...	...	14	..	..	...	...
GRAND TOTAL ...	47	28	17	12	16	18	14	7	1	...	...	1	892	312	1,231	224,268	19,978	8,188	5,669	1,42,39,172	45,19,387	14,71,464	19,14,077

PROVINCIAL STATEMENT No VI.—(CIVIL).

STATEMENT SHOWING THE RESULT OF PROCEEDINGS ON APPLICATIONS FOR THE EXECUTION OF THE DECREES OF THE CIVIL COURTS IN THE PUNJAB DURING THE YEAR 1893

1	2	3	4	5	6	7	8	9	10	11	12
Class of Court	Total number of applications to execute decrees for disposal	Applications disposed of: By transfer under section 223	Satisfaction obtained in full: Through the Court	Satisfaction obtained in full: Under section 258	Satisfaction obtained in part: Through the Court	Satisfaction obtained in part: Under section 258	Wholly infructuous.	Pending at the close of the year	Pending over three months	Value of money decrees in execution.	Amount realized.
										Rs	Rs.
Honorary Courts ...	7,406	11	2,092	94	1,614	45	2,857	693	62	3,03,302	1,11,126
Paid Sub divisional Courts. Munsifs ...	166,441	281	34,150	735	32,870	646	80,180	17,579	2,340	78,65,309	24,28,353
Paid Sub divisional Courts. Tahsil ...	9,786	36	3,958	61	1,534	11	3,475	711	46	2,32,965	88,084
Small Cause Courts ...	17,720	970	3,277	1,518	3,815	1,245	5,870	1,085	55	5,37,673	2,17,334
District Courts other than Chief Courts of Districts	20,044	96	6,024	109	3,153	48	7,966	2,648	465	21,19,592	6,39,601
Chief Courts of Districts ...	6,540	57	1,857	95	942	16	2,542	1,031	290	31,60,673	9,16,801
Total ...	227,997	1,451	51,358	2,612	43,928	2,011	102,890	23,747	3,258	1,42,19,514	44,01,299

PROVINCIAL STATEMENT No. VI.—(CIVIL)—*concluded.*

STATEMENT SHOWING THE RESULT OF PROCEEDINGS ON APPLICATIONS FOR THE EXECUTION OF THE DECREES OF THE CIVIL COURTS IN THE PUNJAB DURING THE YEAR 1893.

Class of Court.	13	14		15	16	17	18	19	20	21	22	23	24	25	26
	Number of applications for execution of decrees.														
	On which processes were issued, but not executed.	*On which the judgment-debtor was imprisoned.*		On which he was arrested but released without imprisonment	*On which moveable property*		*On which*				*On which possession was given*		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than in the preceding columns.
		Male.	Female.		Was sold	Was attached but subsequently released.	Immoveable property was sold.	Hereditary or joint acquired property was sold.	Action was taken under sec. 305 or 306, C.P.C.	Immoveable property was attached but subsequently released.	Of moveables	Of immoveables.			
Honorary Courts	2,087	7	...	148	321	2,153	307	1	1	119	5	239	1	4	...
Paid Sub-divisional Courts. Munsifs ...	48,883	257	...	3,049	7,922	32,225	6,354	32	155	2,150	94	1,807	13	22	41
Paid Sub-divisional Courts. Tahsil ...	2,043	16	...	129	426	2,180	224	3	...	63	65	1,972	50	4	8
Small Cause Courts	2,667	29	...	330	782	1,212	7	...	...	...	45	...	...	...	...
District Courts other than Chief Courts of Districts.	2,965	43	7	220	875	2,607	538	2	31	442	45	3,246	64	10	3
Chief Courts of Districts	1,331	22	8	110	538	842	289	1	8	201	24	757	31	10	...
Total ...	59,976	374	15	3,986	10,864	41,219	7,719	39	195	2,975	278	8,021	159	50	52

PROVINCIAL STATEMENT No. VII.—(CIVIL).

PROCEEDINGS IN INSOLVENCY UNDER CHAPTER XX OF THE CIVIL PROCEDURE CODE AND ACT IV OF 1872, IN THE PUNJAB DURING THE YEAR 1893

PART I.—SHOWING THE NUMBER AND RESULT OF APPLICATIONS UNDER SECTION 344 OF THE CODE OF CIVIL PROCEDURE AND UNDER ACT IV OF 1872, AND THE NUMBER OF INSOLVENTS BEFORE THE COURTS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
	APPLICATIONS FOR A DECLARATION OF INSOLVENCY															PERSONS DECLARED TO BE INSOLVENTS								
	NUMBER OF APPLICATIONS DEALT WITH						APPLICATIONS DISPOSED OF									NUMBER OF INSOLVENTS BEFORE THE COURTS				DISPOSED OF				
		Filed during the year							Granted		Rejected											Discharged		
		By judgment debtors																						
CLASS OF COURT.	Pending at the close of the previous year.	Under arrest or imprisonment	Not under arrest or imprisonment.	By decree holders	Received by transfer from other districts	Total	Transferred to other districts	Withdrawn or otherwise not prosecuted	A receiver being appointed	A receiver not being appointed	Penal proceedings under section 359 not being taken	Sentence of imprisonment being passed under section 359	Applicant being sent to the Magistrate to be dealt with	Total	Pending at the close of the year	Remaining at the close of the previous year	Declared to be insolvents during the year	Received by transfer.	Total	Transferred	Died.	Under section 351	Under section 355.	Remaining at the close of the year
Courts other than District Courts specially empowered under section 360, Civil Procedure Code	53	6	189	4	...	252	..	61	26	42	54	.		183	69	34	64	...	98	...	...	44	30	24
District Courts	57	8	132	13		210	.	46	28	19	85	2	..	180	30	39	63	...	102	...	...	23	42	37
Insolvency Courts under Act IV of 1872	9	..	10	4	.	23	...	7	7	1	1	..	.	16	7		8	.	8	...	...	1	5	2
TOTAL ...	119	14	331	21	...	485	.	114	61	62	140	2	..	379	106	73	135	..	208	...	...	68	77	63

PROVINCIAL STATEMENT No. VII.—(CIVIL).

PROCEEDINGS IN INSOLVENCY UNDER CHAPTER XX OF THE CIVIL PROCEDURE CODE AND ACT IV OF 1872 IN THE PUNJAB DURING THE YEAR 1893.

PART II.—SHOWING THE NUMBER OF ESTATES IN THE HANDS OF RECEIVERS AND THE PROGRESS MADE IN WINDING UP

1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Number of insolvents' estates in the hands of receivers				*Amount of creditors' claims dealt with during the year.*					*Amount of insolvents' assets realized and outstanding.*			
CLASS OF COURT.	Pending at the close of the previous year.	Placed in charge of a receiver during the year.	Number of estates in regard to which proceedings were finally closed during the year	Pending at the close of the year.	Unsatisfied and pending at the close of the previous year.	Admitted.	Disallowed.	Satisfied.	Unsatisfied and pending at the close of the year.	Amount of realized assets in the hands of receivers at the close of the previous year.	Gross amount realized during the year.	Total amount of disbursements.	Amount remaining in the hands of receivers at the close of the year.
Courts other than District Courts specially empowered under section 360, Civil Procedure Code.	21	26	20	27	4,31,128	46,347	13 008	27,777	4,22,834	12,263	8,990	17,774	3,478
District Courts	28	27	17	38	91,147	43,296	13,621	9,101	1,03,213	2,438	10,233	7,502	3,721
Insolvency Courts under Act IV of 1872 ...	...	7	5	2	35 068	88,249	...	60,681	31.919	4,286	6,992	9,498	1,780
TOTAL ...	49	60	42	67	5,57 343	-- 2	26,629	. 97,559	5,57,966	18,987	26,215	34,774	8,979

PROVINCIAL STATEMENT No. VIII.—(CIVIL).

STATEMENT SHOWING THE NUMBER OF DAYS THE SENIOR JUDGE AND EACH OF THE JUDGES OF THE CHIEF COURT, PUNJAB, SAT IN COURT AND AT CHAMBERS IN THE COURT-HOUSE DURING THE YEAR 1893.

1	2	3	4	5		6
Name of Judge.	Portion of year during which the Judge was, as such, present on duty.	Number of days on which the Judges sat in Court for hearing causes	Number of days (if any) not included in column 3, on which the Judges sat in the Court-house for the transaction of administrative business.	Average length of daily sittings. (a) For hearing causes (column 3).	(b) For transactions of administrative business (column 4).	Remarks.
Sir Meredyth Plowden	1st January 1893 to 24th July 1893, and 15th August to 31st December 1893.	179	10	7 hours.	6 hours.	There is ordinarily one meeting in each month of the Judges for the transaction of the more important administrative business. The current administrative business is transacted from time to time or daily by the Judges The figures in columns 4 and 5 (b) show only the number of meetings of the Judges and their estimated average duration The time spent by each Judge on current administrative business cannot be ascertained, nor is it always transacted in the Court-house. The holidays on which the Judges came to the Court-house to write judgments, &c., are not included in column 3.
Mr. Justice Roe	Whole year	208	12	Do.	Do.	
Mr. Justice Frizelle	1st January 1893 to 14th June 1893, and 14th July 1893 to 28th November 1893.	149	4	Do.	Do	
Mr. Justice Benton	Whole year	190	5	Do	Do.	
Mr. Justice Rivaz	1st January 1893 to 24th April 1893, and 1st November 1893 to 31st December 1893.	113	2	Do	Do.	
Mr. Justice Stogdon	29th November 1893 to 31st December 1893.	20	1	Do	Do.	
Mr. Justice Bullock	25th April 1893 to 31st October 1893.	104	3	Do.	Do.	

PROVINCIAL STATEMENT No. IX.—(CIVIL).

STATEMENT SHOWING THE VALUE OF THE SUITS INSTITUTED IN THE DISTRICTS OF THE PUNJAB FOR THE LAST THREE YEARS

District	1891	1892.	1893
	Rs	Rs	Rs
Delhi	20,34,334	15,74,103	10,36,266
Gurgáon	2,05,777	2,54,862	3,10,197
Rohtak	3,34,412	3,65,520	5,81,136
Karnál	3,21,421	4,93,431	3,47,204
Umballa	8,42,863	10,28,719	11,84,396
Ludhiana	7,57,141	8,07,703	7,78,890
Simla	2,19,591	2,91,446	4,83,110
Jullundur	11,76,568	11,04,913	11,22,102
Hoshiarpur	10,50,686	11,52,012	12,13,949
Kángra	4,53,186	2,80,262	4,01,505
Kulu	28,641	34,476	30,507
Amritsar	14,80,884	14,32,608	15,49,588
Gurdáspur	11,49,846	11,14,917	9,90,688
Siálkot	12,14,306	12,88,660	14,39,155
Gujránwala	13,82,364	10,02,666	6,01,422
Lahore	16,03,374	17,62,953	19,31,332
Ferozepore	9,45,125	9,03,782	10,09,735
Hissár	4,20,449	4,36,573	4,63,228
Mooltan	7,06,777	12,98,544	11,56,114
Jhang	4,93,961	4,53,105	3,73,828
Montgomery	2,84,419	5,50,520	2,87,027
Muzaffargarh	3,45,755	3,03,652	2,90,922
Jhelum	5,68,021	5,26,785	5,00,942
Gujrat	3,70,096	6,11,189	4,71,876
Shahpur	4,19,698	2,92,481	4,35,669
Ráwalpindi	9,26,076	10,05,965	11,45,339
Dera Ismail Khan	5,35,058	3,68,199	4,58,279
Dera Ghází Khan	1,85,479	2,51,891	3,90,414
Bannu	3,29,662	2,81,507	3,31,098
Pesháwar	5,67,213	5,81,378	5,48,717
Hazára	3,76,089	3,11,087	1,63,460
Kohát	90,624	1,29,131	1,16,005
Total ...	2,18,19,896	2,22,95,040	2,21,44,100

APPENDIX A TO THE CIVIL REPORT FOR THE YEAR 1893.

EXTRACTS FROM DIVISIONAL AND DISTRICT REPORTS.

APPENDIX A.

Extracts from the Divisional and District Reports on the administration of Civil Justice during the year 1893.

I.—INSTITUTIONS.

DIVISIONAL JUDGE, UMBALLA.

(Mr. G. L. Smith.)

The institutions were 10,926 against 11,288 in 1892 The difference is not material, but so far as it goes it shows a return to the normal state of things after the disturbance produced by the *Punchayet* system reported on during the last two years. The extinction of that system ran up institutions last year and now they are declining again, which decrease was otherwise not to be expected, as in the other districts of the division there is a tendency to increase.

DIVISIONAL JUDGE, JULLUNDUR.

(Colonel H. Wood.)

The number of original civil suits instituted in 1893 increased by 907 suits, as compared with the number instituted in 1892. The increase was mainly confined to petty suits for money or moveables, and was presumably due to the satisfactory condition of the crops and absence of epidemics in the district, as has been remarked by the District Judge.

DIVISIONAL JUDGE, HOSHIARPUR.

(Mr G. W. Rivaz.)

There was a large increase in both districts, as compared with the previous year, in which, however, civil litigation was abnormally low In Hoshiárpur the increase exceeded 14 per cent, and in Kángra it exceeded 20 per cent. In both districts the increase was chiefly in suits brought on unregistered bonds.

DISTRICT JUDGE, HOSHIARPUR.

(Lala Narain Das, M.A.)

The increase in the institutions is a very remarkable one, and is probably due to the excellence of both spring and autumn crops and to the year being healthier than the preceding years as well as to the unusual briskness of the grain trade.

Since I have joined the district only lately, I am really unable to offer any better explanation than the above.

The number of institutions is the highest known in the last five years. Probably the people of this notoriously litigious district are going back to their old habit after a lull of two years.

DISTRICT JUDGE, KULU.

(Mr. H. A. Rose.)

There has been a marked falling-off in the total number of original suits instituted in 1893. The figures, which exclude the Lahoul returns, show that the civil litigation is steadily decreasing, the falling off since 1890 being over 20 per cent., and from 1892 a little under 15 per cent.

The decrease in suits for money is not so slight as it appears, because breach of betrothal cases are now shown as money suits.

It is natural that land suits should fall off after settlement, but no specific cause can be assigned for the decrease under other heads.

DIVISIONAL JUDGE, AMRITSAR.

(Mr. T. Troward.)

It seems hardly possible to ascertain the causes of ordinary fluctuations. A good and bad harvest can be equally used as an explanation for an increase as well as for a decrease.

If the harvest is good and litigation increases the explanation is that creditors are anxious to get in their debts, now that the debtors have something in hand to pay and that would-be litigants have means to sue; on the other hand if the litigation decreases the explanation is that debtors are well off and pay without being sued.

On the contrary if the harvest is bad and litigation increases the explanation given is that debtors cannot pay and creditors are driven to court, but if it decrease the reason given is that to sue the debtor would be throwing good money after bad, and so would-be litigants will not incur the court expenses.

DISTRICT JUDGE, GURDASPUR.

(Syad Mahomed Latif.)

The increase of 1,568 in the number of suits for money or moveable property up to Rs. 500 in value is due to a good rabi harvest, which induced money-lenders to have recourse to court for satisfaction of their claims at a time when there was good prospect for recovery of the money due to them.

DIVISIONAL JUDGE, SIALKOT.

(Colonel H. Lawrence.)

There is a small decrease of 379 cases in the institutions in the Siálkot District, and an increase of 1,038 in the Gujránwála District. The latter is attributed to agricultural prosperity and good health, but the greater part of it has probably arisen from the increase of the population caused by the settlement of the Chenáb Canal lands, and also from the fact that the opening of the Canal has increased the value of the land, and this has led many absentees to try and establish their rights.

DISTRICT JUDGE, HISSAR.

(Lieut. C. P. Thompson.)

The total increase in suits compared with the number instituted last year is 563, while the increase in suits between bankers and agriculturists is 480. The reason is patent, *viz.*, that the last two harvests having been exceptionally good ones, the bankers have taken the opportunity of suing to recover sums owed to them by agriculturists, which they would have had little or no chance of recovering when the agriculturists were hard up.

DIVISIONAL JUDGE, MOOLTAN.

(Mr. R. L. Harris.)

In the Montgomery District the rise in the number of institutions is remarkable; this increase has been attributed to the healthiness and plentiful harvests of the year under report, resulting in comparative prosperity of the agricultural classes and consequent bright prospects of realization of debts. It is probable too that the early stages of a fresh settlement are generally attended by an increase in civil litigation.

DISTRICT JUDGE, JHELUM.

(Diwan Narendra Nath, m.a.)

In the present year institutions have increased by 999. In 1892 institutions went down below the average on account of the prevalence of cholera in the district during the hot weather; in the year under report they have regained their former level.

DISTRICT JUDGE, GUJRAT.

(Baron J. Bentinck.)

The number of suits instituted during the year under report was 9,390 as against 9,022 last year.

This shows an increase of 368 or 4·078 per cent, which is due to cheapness of corn.

The sáhukárs were reluctant to take grain from their debtors, there being no demand in the market for it, and instituted more suits in order to have grain attached and sold at the market rate.

DISTRICT JUDGE, SHAHPUR.

(Mr. A. Bridges.)

It appears that the increase is almost wholly confined to claims for money, and this is as was to be expected, on account of the causes explained by Mr. Wilson in his remarks under this head in the last report (*vide* Provincial Civil Report, Appendix A., page 5). The number has come up approximately to the figures predicted by him and probably

might not have reached those figures, if the effects of the bumper rabi harvest for 1893 were not neutralized to a considerable extent by the disastrous floods of July last. Those floods had the effect of either washing away wheat or gram or other produce, or of rendering them unfit for storage or export. The cessation in export made the prices to fall, and the money-lender unwilling to accept the soaked grain. These causes very likely disabled the peasants from paying off their debts to the same extent to which they otherwise would have done and induced the money-lenders to have recourse to courts against them either to save limitation or to evade the result of accepting payments in grain, which though cheap was yet incapable of being stored, exported, or sold at once.

DIVISIONAL JUDGE, DERAJAT.

(Mr. A. Christie.)

The increase in Dera Ghází Khan of 1.280 institutions was considerable. Mr. Birch, District Judge, has given no explanation, and remarks: "It is very difficult to give a correct reason for this large increase. I have not been able to get at any satisfactory reason." But considering the fact that there was an increase of 1,681 in the number of suits brought by bankers, &c., against agriculturists, the explanation may be found in the prosperous harvests of the year under report.

DISTRICT JUDGE, DERA ISMAIL KHAN.

(Mr. H. W. Gee.)

The number of institutions has been higher during the past year than it has ever been before. The figures for the past four years have been as follows.—

1890	6,388
1891	6,492
1892	5,450
1893	7,358

The general district average from 1888 to 1892, as given in the Provincial Report last year, was 6,121, and the highest total ever reached in former years was 6,693 (in 1888). There has been an increase of 1,908 since last year, and the total of the past year is more then 16 per cent above the average since 1888.

The large increase over the figures for 1892 was to be expected, because institutions fell 15 per cent in that year owing to the prevalence of cholera, floods and fever as explained in last year's report. The increase is 13 per cent on the figures for 1891 and 15 per cent on those of 1890. The past year has been on the whole a prosperous one, and the harvests have been above the average, and there has no doubt been a reaction since 1892. Suits which had been postponed owing to illness and to bad weather have now been brought into court, especially those against agriculturists. This is what we should naturally expect, and the total suits between bankers and agriculturists have increased by 1,983.

The increase in dismissals in default with a corresponding decrease in cases re-admitted probably means that a good many cases were settled at home. A good wheat crop may account for this.

The increase in the courts of the Tahsíldárs is satisfactory, because it shows that these officers are now getting a fair share of the civil work of the district. Four Tahsíldárs exercise civil powers, and this gives an average of 172 cases a piece, or over 15 per mensem. The change is due to orders issued by myself after referring the matter to the Divisional Judge.

The increase in the Munsifs' courts accounts for most of the total increase for the year.

DISTRICT JUDGE, KOHAT.

(Major H. P. Leigh, c.i.e.)

The increase does not call for any particular remarks, but it may be noted that 1892 was a year of scarcity, and the advances made by Hindús to villagers, of cash and grain, have probably led to increased litigation.

II.—CLASSIFICATION OF SUITS.

DISTRICT JUDGE, KARNAL.

(Mr. P. D. Agnew.)

It would appear from the figures given in column 18 of Statement No. II for 1893 that the number of suits brought by money-lenders against agriculturists has risen to 1,807

from 1,205 in 1892. I can suggest no exact reason for the increase. Possibly it may be due to the great mortality of 1892, which might make creditors more anxious to secure their debts against the heirs of deceased zamindárs' by obtaining decrees.

DIVISIONAL JUDGE, UMBALLA.

(Mr. G. L. Smith.)

The sudden rise in suits for immoveable property to 865, against an average for the previous three years of 590, is remarkable and cannot, with apparent good reason, be set down to the cause assigned by the District Judge, *viz*, "rise in the value of such property." This would account for a gradual rise, not a sudden one as is the case here. I am unable to suggest any likely explanation unless it be due to a mistake in the figures. Possibly however the fact of 1893 being so healthy and prosperous may account for activity in this line of litigation.

The steady decrease for the last four years in cases of bankers against agriculturists is doubtless due to increase of prosperity amongst the latter owing to brisk export of wheat, &c.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis.)

Suits for possession or recovery of immoveable property show a marked increase, this is to be expected with the rise in the value of such property.

Taking the figures for the years 1889-92 the average number of such suits was 147, while in the past year it has been only 117, or less by 30. No specific reason can be assigned for this decrease. It may possibly indicate either that there have been fewer sales of immoveable property, or that more sales have in the first instance been made to persons entitled to pre-empt.

Suits by bankers and shop-keepers against agriculturists reached the highest figures in 1890. After that they have steadily been decreasing by 200 (speaking in round numbers) a year This shows that good crops and large purchases by exporters have reduced the indebtedness of agriculturists in this district. Purchases for exports have however, fallen off now, and it has to be seen what the effect of it will be in another year's time.

DIVISIONAL JUDGE, HOSHIARPUR.

(Mr. G. W. Rivaz.)

Judging from the number of appeals which came before me during the year and from what I have heard I should say that in the Hoshiarpur District there were an unusually large number of suits by mortgagees for possession. A form of mortgage which has of late years become very common is one in which the mortgagor is left in possession in the first instance, but power is given to the mortgagee to enter on the land if the stipulated interest, which is usually at a moderate rate, is not punctually paid. The mortgagee then waits his time and when arrears of interest have accumulated sufficiently to render it unlikely that the mortgagor will be able to raise the amount due by a fresh mortgage he sues for possession.

DISTRICT JUDGE, KANGRA.

(Mr. S. Clifford.)

The increase, it will be observed, is entirely due to suits on unregistered contracts in writing, and it is matter for regret that this increase is entirely due to suits against agriculturists, which from 2,490 in 1892 have risen to 3,481 in 1893.

The rabi of 1892 as well as the rabi of 1893 having been bad, it would seem as if money-lenders had been holding back and were forced to bring suits against agriculturists to be within limitation.

DISTRICT JUDGE, KULU.

(Mr. H. A. Rose.)

The tendency to resort more and more to the compoundable sections 497 and 498 of the Indian Penal Code is again apparent, and it is safe to predict that matrimonial

suits will soon not be instituted at all. Pre-emption suits also tend to disappear altogether, the rulings of the courts having been generally against the existence of a custom.

DISTRICT JUDGE, AMRITSAR.

(Mr. W. A. Harris.)

The variance in the number of suits on contracts not registered, as also on contracts not reduced into writing would not necessarily imply that the value of registered documents was lost sight of, or that oral contracts were preferred to written ones. The matter resolves itself into one usually of convenience and of trust. As regards the marked decrease in suits for possession of immoveable property it is likely that this is due to plentiful harvests last year, which enabled the debtor to meet his engagements in the payment of instalments or of interest, and so avoided the necessity for their being sued for their lands.

DISTRICT JUDGE, GURDASPUR.

(Syad Muhammad Latif.)

The decrease under suits for redemption from mortgage is due to the more flourishing condition of the zamindárs, for, with ready money at their disposal, the mortgagors offered the money due to the mortgagees at home, which the latter accepted as settlement of their claims. The decrease under the head of suits for possession as mortgagee is presumably due to the same cause, for there were less transfers of landed property by mortgage and hence less suits for possession as mortgagees. The fact is that a good or bad harvest is always the chief factor in moulding the social condition of the rural tribes, and that a good harvest has the immediate result of diminishing the number of transfers of landed property to an appreciable extent notwithstanding their known habits of extravagance and indebtedness to the bania class.

DIVISIONAL JUDGE, SIALKOT.

(Colonel H. Lawrence.)

It is remarkable that all the suits on registered bonds in the Siálkot district were in the courts of Munsifs exercising ordinary civil powers and special Small Cause Court powers.

The increase of pre-emption cases from 22 in 1892 to 84 in 1893 is also remarkable.

The law of pre-emption undoubtedly tends to foster litigation, and money-lenders make use of it to get land into their own hands. One or two cases have come before me during the year, in which rival money-lenders were backed up by the several claimants with an eye to their own advantage.

There is an increase in both districts in the suits brought by bankers and shopkeepers, which the District Judge of Gujránwála attributes in his district to the agricultural prosperity and good health.

DISTRICT JUDGE, FEROZEPORE.

(Mr. H. S. Smith.)

The suits brought on unregistered bonds were 1,226 in excess of the number for the previous year, and the increase will mostly be found in suits of value not exceeding Rs. 100. In neither of the previous three years and under no other heads of classification have the variations been so large as is the increase in "unregistered bonds" in the year under report. This is most probably due to the following reasons:—

(1) That the suits which were in previous years shown in the old form of the statement under the head of "accounts stated" have most of them if not all, been probably shown under "unregistered bonds." Some of the entries in account books are no doubt bonds within the definition of the term, but they cannot all be treated as such. The Muharrirs who prepared the returns in various courts appear to have erroneously classified the suits "on unregistered bonds" and the suits on "accounts stated" under the same head. This mistake cannot be rectified without making inquiries from all subordinate courts, but it is not desirable to

delay the report for that purpose. A note is being kept and inquiries are being made as to the accuracy of the figures, and the result will be reported separately.

(2) A part of the increase is probably due to the fact that the money-lenders are learning by experience year by year that suits on verbal contracts meet with less success than those on the contracts in writing.

(3) The money-lenders in this district have for some years past been subjected to the disgrace of paying penalties for evasions of Stamp Law, discovered on examination of their account books in civil courts, and therefore a resort to the execution of bonds may have become more frequent of late.

The suits against agriculturists have increased by 285; the reason for this is one that is commonly assigned in the Province, *viz.*, the inducement to the creditors afforded by the unusually prosperous harvests of the year under report and their desire to recover whatever they could, even by threat, if not by execution of harsh processes.

DISTRICT JUDGE, JHANG.

(Kazi Muhammad Aslam, C.M.G.)

There were 1,940 suits instituted during 1893 under the head unregistered bonds in comparison with 1,561 in 1892 and 1,927 in 1891. The increase of 379 cases in 1893 over the figures of 1892 must be explained by the reason that the people now get bonds executed on stamped papers to a larger extent than before and prefer this to the system of striking balances in their *bahis*. The debtors being in general unlettered men, the creditors endeavour to have their debts more firmly established by making the debtors purchase a stamped paper, which is a further evidence in their favor, and asking assistance of two or more witnesses to attest their bonds, and thus avoid the suspicion of the courts.

DISTRICT JUDGE, SHAHPUR.

(Mr. A. Bridges.)

The figures seem to indicate that registration of documents is not much resorted to in this district in cases of moveable property or money. This may be partly due to the fact that in most cases it is hardly necessary. In case of immoveable property mutation of names combined with possession of the landed property is yet deemed sufficient to safeguard a mortgagee or vendee's interests, notwithstanding the Chief Court Ruling No. 115 of 1890, though it has been observed in some instances that certain practised litigants have begun purposely to speculate in matters concerning immoveable property in which, on the strength of the aforesaid ruling, they can calculate upon their success with certainty against an ignorant previous mortgagee or vendee.

DISTRICT JUDGE, BANNU.

(Mr. T. H. Homan.)

There have been 329 matrimonial suits instituted this year against 283 last year, showing an increase of 46. Mr. Bridges wrote very fully in last year's report about the yearly increase in the district of this class of suits. I quite agree with what he wrote, and think as long as the punishment for refusing to live with a husband is a short imprisonment, this class of suits will increase till the husband becomes more educated and treats his wife better. I have never known anything like so many cases of this kind instituted in any other district, and as I have this year heard a great many of them myself am of opinion that many of them are false. A brother considers his deceased brother's wife his own property, and if she leaves his protection, or contracts a fresh marriage, he almost invariably brings a suit for her custody alleging that after the death of his brother she contracted a marriage with him.

III.—DETAILS OF DISPOSAL—DURATION OF CASES AND PENDING FILE.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis.)

In my report for the year 1892 I had occasion to remark that the issue of commissions for local investigation was strictly watched by me, but that I had somewhat had to leave the courts more free in the exercise of their discretion, as often disputes in regard to immoveable property cannot be cleared up without a local investigation. The result is that there is a further increase of 29 in the issue of such commissions. It was only in 4 or 5 cases that I found such commissions were unnecessarily issued by Munsifs; otherwise the discretion is soundly exercised by them.

DIVISIONAL JUDGE, AMRITSAR.

(Mr. T. Troward.)

The average durations of both classes of cases in the Amritsar district are higher than in the previous year. The explanations given in the District Report may be taken as correct, but in my opinion the rise in the duration is also due to defect in the system of distribution of work resulting from constant changes in the officers holding the office of District Judge and Munsif, necessitating transfer of old cases from one court to another and causing delay and additional labour in the disposal of complicated land and unclassed suits.

DISTRICT JUDGE, MONTGOMERY.

(Mr. T. J. Kennedy.)

Considering the large increase in the number of institutions of the year, the decrease in the number of cases referred to arbitration is very noticeable. This shows a marked reluctance on the part of litigants to give their interests into the hands of arbitrators. Results in cases referred to arbitration show that the increasing want of confidence is not without reason. In my opinion the less the resort to arbitration the better, because the Judge's interest in their work is not suspended and the tendency to shirk work is on the decrease.

IV.—AGENCY EMPLOYED IN THE DISPOSAL OF SUITS.

DIVISIONAL JUDGE, DELHI.

(Mr. J. A. Anderson.)

The brunt of work in the Gurgaon district fell on the Tahsildárs, who disposed of more than half the number of suits disposed of in the whole district. This appears to be contrary to the provisions of Circular Memo. No. 22—5064G., dated the 24th December 1892, which lays down 165 cases per annum as average work of a Tahsildár. The District Judge, who is also Deputy Commissioner, after having reported the Munsif's services unnecessary had to get the cases disposed of by Tahsildars, whether they were well disposed of or not I cannot say, but have my doubts. In Rohtak the Tahsildárs have not disposed of as much work as they might have done.

In Karnál the Tahsildars of Karnál and Panipat disposed of a number of cases much below the prescribed scale.

The Honorary Civil Judges, Sayad Altaf Husain, Pandit Mannu Lál and Sayd Riaz Husain, were more useful, the first named has disposed of a great deal of business. The location of a Munsif at Pánipat instead of Karnal seems rather hard on the litigants of the Kaithal tahsil, and as the Tahsildar and Honorary Munsif have each the same powers, *viz.*, 2nd class Munsif, litigants can select their favourite court to sue in. This is objectionable as court accommodation at Karnál cannot be provided in Government building. Other arrangements might possibly be made. There are many old houses at Karnál which could be hired at moderate rents.

DISTRICT JUDGE, DELHI.

(Lala Lachman Das, B.A.)

From the figures it would appear that as usual the bulk of the civil work was disposed of by the Judge of the Small Cause Court and the Munsif.

There has been little variation in the disposal of original suits in the court of the District Judge and Honorary Civil Judges.

There is a slight improvement in the quantity of work done by Extra Assistant Commissioners, but a great fall in the work of the Tahsildárs. This class of officers disposed of only 467 cases, thus —

Tahsildar of Delhi	212
Tahsildar of Sonepat	128
Tahsildar of Ballabgarh	127
Total ..	467

The figures for Sonepat and Ballabgarh are far below the average of 165 fixed for Tahsildárs. The proportion of land suits to others decided by the Tahsildárs is very small. This seems due to the fact that the number of land suits below Rs. 100 instituted during

the year was small, and even of this small number a large proportion was made over to other courts at the Sadr, most probably on special requests of parties or their pleaders. As a general rule pleaders do not relish to practise in the courts of Tahsíldárs or other officers who hear cases in tour or at out-stations, unless it is made worth their while to do so by big fees which suitors in small land suits below Rs. 100 cannot afford. The result is that such requests in such suits are rather the rule than the exception

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond.)

The work done by the Additional District Judge during the year under report may perhaps be accepted as sufficient in view of the fact that he had appellate business also. Considering however that Delhi is only an hour from the Gurgáon Station by rail, and that the Additional District Judge, unless he is given an amount of criminal work which leaves other officers short in that respect, contributes very little assistance in the administration of the district generally, it can hardly be said that the figures justify the retention of a separate court of this grade for the Gurgáon district. The difficulty of course is that the Deputy Commissioner cannot conveniently take as District Judge the civil appeals and suits of high value.

DISTRICT JUDGE, KARNAL.

(Mr. P. D. Agnew.)

The proportion of work performed by Extra Assistant Commissioners was again small. It is however to be noted that the only Extra Assistant Commissioner available for civil work during the year was Pandit Joti Parshad, who was out in the interior of the district placing bad characters on security for a considerable portion of the year, which prevented his taking up a larger share of business than he would otherwise have done. The Tahsíldárs too took up a smaller number of suits than in the year before. The Tahsíldár of Kaithal and the Naib at Guhla disposed of a proper share of work, but the figures opposite the Tahsíldárs of Karnál and Pánipat are much below the prescribed scale.

The Munsif and the Honorary Judges disposed of a large number of suits, the percentage of work done in these courts being 48 and 34 respectively to the total number disposed of.

The general distribution of work, which at first sight appears arbitrary, needs a word of explanation. Petty cases from Kaithal and Guhla are mostly tried by the tahsíl officials or the Honorary Civil Judge there. The reason is that Kaithal is a very long distance from Pánipat where the Munsif holds his court. The arrangement has the approval of the Chief Court.

DIVISIONAL JUDGE, HOSHIARPUR.

(Mr. G. W. Rivaz.)

The noticeable features are the substantial amount of work done by the District Judge of Kángra, the falling off in the number of cases taken up by Tahsíldárs in Hoshiárpur, and the large increase in the number of cases taken up by Tahsíldárs in the Kángra District.

In Kángra tahsíl courts decided 804 cases, but 152 of these, chiefly small causes, were decided by a Náib-Tahsíldár with civil powers. The remaining 652 cases give each Tahsíldár's court an average of 163 cases a year. The cases however were not evenly distributed, as 238 cases must be credited to the Pálampur Court, while the Tahsíldár of Hamírpur, owing to the pressure of settlement work, only decided 11. The Táhsíldar of Pálampur need not I think have been required to take up more than the recognized amount of civil work, and I presume will not be required to do so in future if the proposal to station both Munsifs at Kángra is sanctioned. The District Judge of Kángra notes that the Tahsíldár of Hamírpur will in future be able to take up the usual amount of civil work, and it will be especially desirable that he should do so if both Munsifs sit at Kángra.

Substantial help was given in the Kángra district by the Rájas of Nadaon, Siba and Kutlehr, who decided respectively 346, 243 and 220 suits in their capacity as Honorary Civil Judges.

DISTRICT JUDGE, GUJRAT.

(Baron J. Bentinck.)

There was an increase of 386 in the number of land suits as compared with last year. This increase is chiefly in suits for possession of land and is due to ruling No. 115 of 1890 on the subject of the value to be attached to an unregistered deed in a case in which registration is optional in the presence of a registered deed of a later date referring to the same property.

DIVISIONAL JUDGE, RAWALPINDI.

(Colonel W. J. Parker)

The most noticeable feature of this statement is the marked increase in the numbers of cases disposed of by Sub-Judges and Honorary Civil Judges. The increase in disposals by the latter is no doubt due to the appointment of two more Honorary Civil Judges in the district and to the large number of cases got through by Sardár Suján Singh, who is one of them.

There is corresponding and marked falling off in cases disposed of by Extra Assistant Commissioners, who only disposed of 685 cases against 905 last year.

DISTRICT JUDGE, BANNU.

(Mr. T. H. Homan.)

The Munsifs did a very fair number of cases, but less than the number prescribed by the Chief Court. The Tahsíldárs disposed of more money cases than they should have, but in outlying tahsíls, where they take petitions themselves, they appear to like to take such cases as they are easily settled and the number of their disposals swell. Orders will be issued prohibiting them to take so many such cases in future.

V.—EXECUTION OF DECREES.

DIVISIONAL JUDGE, UMBALLA.

(Mr. G. L. Smith.)

The figures for this district are not satisfactory, as the following statistics show :—

	Umballa.	*Provincial average for* 1892
Wholly satisfied per cent.	21	27
Partially " " "	17	22
Percentage realized to amount under execution	21	30 (about)
Wholly infructuous	54	49

the last figure (54 per cent) is however an improvement on last year, *viz.*, 58 per cent.

These figures not only compare unfavourably with the provincial average but particularly so with the statistics for the adjoining district of Ludhiána, the figures for that district in the same order as above being 31, 44, 47 and 23. In every one of these there is a very marked difference in favour of Ludhiána, especially in the two latter figures (the most important) which are more than double in favour of Ludhiána.

The only reason I can think of for such marked differences in adjoining districts are—

(1). Ludhiána district is more in hand than Umballa ; the latter is so much larger and has been so agitated of late years.

(2). The Ludhiána people are better off on the whole.

(3). The District Judge of Ludhiána has been a fixture for years (whereas there are constant changes in Umballa) and exercises an unusual care and supervision over the work.

The cause assigned by the District Judge for bad working in Umballa, *viz.*, the difficulty of realizing from agriculturists under existing rules will not account for deficiencies as compared with other districts, the difficulty being common to all parts.

DIVISIONAL JUDGE, LAHORE.

(Mr. F. C. Channing.)

It is unsatisfactory that so many attempts to execute decrees should prove wholly infructuous. Against 4,149 decrees completely executed there were 6,890 applications for executions which yielded nothing, a result which is I expect due much more to the ingenuity and dishonesty than to the absolute pauperism of the judgment-debtors. I suppose that in most of these cases some kind of compromise is generally arrived at, or one would expect that credit would almost cease to exist.

DISTRICT JUDGE, SHAHPUR.

(Mr. A. Bridges.)

The percentage of realizations has slightly improved during the year over 1892 (being 26 and 24 per cent. respectively). This is partly due to increased attention given to the subject and to some extent to the good rabi harvest of 1893. But no considerable improvement can be expected in this respect as it is hardly advisable to allow unrestricted sale of agricultural land, and as it is rarely found practicable to make arrangements for satisfaction of decrees even by temporary alienation of such property by way of farm or otherwise.

In many such cases the decree-holders are left without a remedy with only the poor satisfaction of having costly decrees in their pockets which they don't know what to do with. This is the main reason why the greater portion of the applications prove wholly infructuous from year to year. This is borne out by the figures under columns 30 and 31 of the Statement No. VI, which show that no property in agricultural land was sold and that in 54 cases in the majority of instances such lands had to be released as no object could be gained by keeping them under attachment.

VI.—WORKING OF SMALL CAUSE COURTS.

DIVISIONAL JUDGE, JULLUNDUR.

(Colonel H. Wood.)

The number of cases for disposal in the court of the Munsif of Jullundur invested with special Small Cause Court jurisdiction, in 1893, *viz.*, 2,108, exceeded the number in 1892, *viz.*, 1,766, by 342 cases and the number disposed of in 1893 *viz.*, 1,943, the number in 1892, *viz.*, 1,674, by 269 cases, a fact showing that the court is gaining popularity. Under these circumstances I would recommend that the Small Cause Court jurisdiction be extended for another year in the present case. Its extension to outlying Munsifs' courts at present would however be premature.

DISTRICT JUDGE, KULU.

(Mr. H. A. Rose.)

There is no Small Cause Court in Kulu. A proposal to re-establish the court has fallen through owing to technical difficulties. It is much to be regretted that it is not legally possible to confer on an officer summary civil powers in the same way as summary criminal powers are conferred.

VII.—APPEALS.

DISTRICT JUDGE, KARNAL.

(Mr. P. D. Agnew.)

Institutions showed a gradual falling off from 1889 to 1891. The figures for 1892 were again as high as those for 1889, and those for 1893 much exceed the average for the last five years.

The only reason for these abnormal features which suggests itself to me is the increased number of legal practitioners established in Karnál since the opening of the Delhi Umballa-Kálka Railway, which brought in two additional pleaders in 1892 and a Mukhtár in 1893.

VIII.—PROCEDURE.

DIVISIONAL JUDGE, UMBALLA.

(Mr. G. L. Smith.)

I have, as last year, to remark on the following failings of Subordinate Courts, *viz.* :—

(1) too frequent adjournments;

(2) failure in examining the parties fully so as to ascertain accurately the points in dispute.

The latter is a very constant failing of Native Courts.

As regards the former several of the Umballa Courts are much to blame as stated under head 4.

DISTRICT JUDGE, SIMLA.

(Mr. F. Field.)

Adjournments during the year were less frequent than in the past and when granted they were generally in consequence of the continued difficulty experienced in effecting service of summonses in several districts, especially in the Simla Hill States and in Calcutta, and this in spite of repeated protests addressed to the officers concerned. Timely notice of postponements is invariably given to the parties interested.

The references to arbitration have increased during the year, but the number of cases so referred is small. Litigants have beyond doubt a great objection to this form of settling their cases. The trial of the objections to a contested award is very nearly, and sometimes quite, as lengthy as the trial of the case on its merits; consequently parties have small advantage to gain by resorting to arbitration.

DIVISIONAL JUDGE, JULLUNDUR.

(Colonel H. Wood.)

From observation of the records of cases which come before me in appeal I find that most of the subordinate courts follow the procedure prescribed by the Code, as a general rule, and I have observed a very decided improvement in this respect.

Many of the courts however still disregard the rules laid down for the production of documents and the necessity for marking the documents either as admitted or proved, as required by the Code, and impressed on their attention by Book Circular No. X of 1888. This neglect of the provisions of the law frequently leads to great inconvenience and delay in the disposal of appeals, and is the most noticeable error in procedure that I have observed.

In many cases too the erroneous form of the issues leads to the belief that the courts do not endeavour by a preliminary interrogation of the parties to ascertain the real points in the dispute, but follow blindly the allegations in the plaint and written pleas, which are too frequently drawn up by ignorant or interested persons.

DIVISIONAL JUDGE, SIALKOT.

(Colonel H. Lawrence.)

There is considerable room for improvement in the subordinate courts, generally in the matter of framing issues.

The courts frequently fail to examine the parties, with the result that they fail to understand the cases before them.

Subordinate courts also often show a want of care in identifying the land in dispute by a careful comparison of the records of the several settlements that have been made. Great carelessness is sometimes shown by subordinate courts in their failure to appoint guardians *ad litem* for minor defendants. I have just had a case before me in appeal in which an Extra Assistant Commissioner had given a decree for the custody of a minor wife, who had not been represented by a properly appointed guardian *ad litem*. Much of this court's time is taken up with appeals in cases which, on the face of the pleadings, are disputes between landlords and tenants, not cognizable by civil courts. These matters cause great loss and inconvenience to litigants, and waste of time to the courts.

DIVISIONAL JUDGE, LAHORE.

(Mr. F. C. Channing.)

The civil courts have I think undoubtedly improved of late years in the regularity of their procedure; and it is now comparatively rarely that I find that gross errors of procedure have been committed. I most notice this improvement when I have cause to examine the files of cases decided more than 10 or 15 years ago. The courts are still far from being as correct and careful as they should be, but they have certainly improved.

DIVISIONAL JUDGE, FEROZEPORE.

(Mr. C. P. Bird.)

I am glad to be able to report that the orders issued last year about notice to suitors by Tahsildárs and other executive officers when absent on tour seem to have been attended to, as I have not had the same complaints lately in cases under appeal.

I regret to say commissions are still issued to persons whose proceedings are not reliable.

DISTRICT JUDGE, FEROZEPORE.

(Mr. H. S. Smith.)

The rules of procedure are I consider carefully attended to by the subordinate courts.

Section 158, Civil Procedure Code, is not thoroughly understood and cases are frequently decided under it when no special time has been granted to the parties. The statements of parties that all their evidence has been produced are not invariably recorded at the close of the evidence, and this omission sometimes necessitates remands.

DISTRICT JUDGE, JHELUM.

(Diwan Narendra Nath, M.A.)

Unnecessary obstruction is often caused in the disposal of cases against soldiers by their Commanding Officers. Summonses are often returned with a request that the case be postponed for two or three months, as the soldier cannot be spared. In most cases the course which the Civil Courts have to adopt is easy, *viz.*, to proceed with the case and to inform the Commanding Officer that adjournment cannot be granted. But in a few cases I have seen that summonses have been returned unserved on the ground that the soldier could not get leave.

I think it is very desirable that Military officers be informed of the present state of the law, which allows no adjournments on the grounds asked for by them. For, even where summonses are returned after service accompanied by a request for adjournment made very often at the instance of the soldier concerned, the latter very often labours under the impression that his not being able to get leave will enable him to seek some remedy against the proceedings that have been going on in his absence, whilst the plaintiff obtains an *ex-parte* decree, seeks out execution, and the limitation for setting aside the *ex-parte* decree soon expires.

During my last inspection of Civil Courts I found that, in cases in which defendant could not be traced, one Munsif made adjournments from time to time calling upon the plaintiff to trace the defendant, whilst the cases were shown in the returns as pending under section 99 A, and there were no orders on the file treating the case under that section. I considered the practice to be wrong, and the Munsif's attention was directed to it. This sort of procedure entails unnecessary trouble on the plaintiff, and may sometimes give rise to a mistake in calculating the period of one year assigned by the section. I therefore directed the Munsif that, when there is no immediate prospect of plaintiff being able to ascertain defendant's whereabouts, an order should be recorded, treating the case under section 99A. and giving one year's time to plaintiff from the date of the order.

One general omission to which I noticed most of the Civil Courts were liable was the failure to record an order under section 462 in cases in which the parties or any of them were minors and a compromise was presented by their guardians. Attention of the presiding officers was directed to the omission.

The subordinate courts in this district from whose decisions I have had occasions to hear appeals appear to be horrified at the idea of awarding compound interest or interest on principal made up of interest and some previous debt. The only thing that we can do in such cases, in the absence of any positive proof of undue advantage having been taken by a creditor, is to fix instalments. This is the only indulgence which in the present state it is in the discretion of the courts to show.

DISTRICT JUDGE, SHAHPUR.

(Mr. A. Bridges.)

The number of commissions issued has increased considerably, but it is doubtful whether the non-official agency which executed most of them was either suitable or satisfactory. It generally consists of persons who make a profession of making their livelihood by undertaking such work. Private gentlemen of character, position, and sufficient intelligence or experience are seldom willing to take up such duties, and those who beg for them are rarely fit to be entrusted with the work. Under such circumstances it might be found more satisfactory on the whole if officials were more easily available for the purpose, as they have a better sense of their responsibilities and are better fitted by their experience for the work and more amenable to the control of the courts. Summonses for final disposal are ordinarily issued in small cause suits, and sufficient time is generally given for the appearance of the defendants. But illiterate agriculturists do not frequently understand the duties imposed on them by final processes, and if for press of work or any other cause no due indulgence or concession is shown to their ignorance the procedure inflicts hardship and injustice on them.

The practice of putting up cause lists daily by the courts is now well understood and invariably acted upon.

Owing to press of work and hurry the courts, and the Munsifs specially, sometimes get no sufficient time to examine the parties or witnesses exhaustively or in detail and to write the judgments as fully as would be desirable. But as in this district the number of courts or officers available for the work is not inadequate, there is no likelihood of the evil attaining any noticeable importance.

DISTRICT JUDGE, DERA ISMAIL KHAN.

(Mr. H. W. Gee.)

In my inspections during the past year I have found generally that the ordinary rules of civil procedure are fairly well observed, the defects being for the most part in matters of detail, such as omission to arrange exhibits properly, failure to note the class of suit on the plaint and to record the value of the suit for jurisdiction purposes, failure to note the presence and absence of parties at each hearing, omission to endorse Court-fee stamps, and to stamp summonses with the court seal. The rules as to hearing suits *ex-parte*, which I noted last year as being neglected in some cases, have, I think, been more strictly observed.

DISTRICT JUDGE, BANNU.

(Mr. T. H. Homan.)

I notice in many cases before me on appeal that the parties are not carefully examined before the framing of issues, and thus often issues are framed for which there is no necessity and a lot of useless evidence taken.

DISTRICT JUDGE, PESHAWAR.

(Mr. W. B. DeCourcy.)

There is a perceptible rise in the issue of commissions, but it could not be said that they were all issued at the instance of subordinate courts, as it often happens that the Appellate Court orders the appointment of a Commissioner. There is great occasion for a local enquiry often enough, but courts should do more than they apparently do in the examination of accounts. Their attention will be drawn to this and a watch kept over the men employed.

As regards payment under section 392, Civil Procedure Code, I think it is difficult to fix properly, and that every case must be left to itself, but as regards payment under section 394, Civil Procedure Code, I do not think there could be a better plan than to adopt the travelling allowance rates from the Code. It is what I do myself, and reduce according to circumstances, but never increase. Here I have changed this practice somewhat, as circumstances require I should do so.

IX.—MISCELLANEOUS

DISTRICT JUDGE, DERA ISMAIL KHAN.

(Mr. H. W. Gee.)

The system introduced by Circular Memo No. 10—1333 G., dated the 13th April 1893, of paying the expenses of witnesses out of the permanent advances of the process-serving agents in the case of summonses sent for service from other parts of the district, is working well. Witnesses now always get their costs with the summonses, and have not that former excuse for non-attendance, *viz.*, failure to receive their costs. Under the old system this excuse was not uncommon, where the money order had failed to reach the process-serving agent with the summons.

X.—ANY OTHER SUBJECT CONNECTED WITH THE ADMINISTRATION OF CIVIL JUSTICE.

DIVISIONAL JUDGE, DELHI.

(Mr. J. A. Anderson).

The location of the sole Munsif of the Karnál district at Pánipat lately sanctioned as a temporary arrangement is questionable. Parts of Kaithal tahsíl are 70 or 80 miles from Pánipat, and as there is a capable Honorary Judge already stationed there with 2nd class powers it seems unnecessary to locate the stipendiary official there also.

DISTRICT JUDGE, DELHI.

(LALA LACHMAN DASS, B.A.)

Under this head I would notice the insufficiency of costs allowed to the winning party in civil cases. The practice is undeniable that costs incurred by a party in his own necessary journeys to and from courts are never charged in the calculation of costs and that the pittance allowed for pleader's fees in small cases below Rs. 500 seldom comes up to what a party has been obliged to pay to his pleader. The result thus is that, while the rightful party is damaged in seeking redress and justice to which he is held entitled, the party aggressive is allowed to escape from a material portion of the burden of actual costs incurred on his account. If for reason of policy or on any other ground it is inadvisable to allow pleaders' fees actually paid, as costs, the harm that I have mentioned can I think be easily minimised without making the costs exorbitant by vesting the courts with a discretion to allow as costs :—

(*a*). Actual travelling charges of a party proved on affidavit.

(*b*). A reasonable sum for pleaders' fees in case the amount allowed under the scale is (for reasons to be recorded) considered insufficient.

DISTRICT JUDGE, GURGAON.

(MR. J. R. DRUMMOND.)

Some progress was attained in requiring parties to file extracts from the Revenue registers, instead of throwing the cost and burden of supplying necessary evidence on the Revenue Establishment, but the sympathies of too many of the subordinate Judicial officers are in this respect with the pleader and petition-writer, whose interest is of course to do as little work as they can for their stipulated fee

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DIVISIONAL JUDGE, UMBALLA.

(MR G L. SMITH.)

In Umballa the supply of copies through an agency at head-quarters and the Value Payable Parcel Post which was mentioned in the report of the last two years still continues and appears to be very successful.

The following figures are of interest—

	Number of copies supplied direct by copying department	Number of copies supplied by agency	Agency fees	Postal commission
			Rs	Rs
1892	5,367	5,668	798	715
1893	7,379	6,820	908	925

As the agency system was started only in 1891 it is of great interest to note that during the first full year of its existence the number of copies supplied by the agency exceeded the number supplied under the old system, and though the same proportion has not been quite maintained during last year, still the result is practically the same, *viz.*, that half of all the copies supplied are obtained through the agency. About 7,000 copies supplied by that system during the year represent an immense saving of wear and tear and worry and loss of time and money to a large number of persons, and the system appears therefore to be a great success. It also produces an appreciable addition (nearly Rs. 1,000 last year) to the income of the Post Office.

DISTRICT JUDGE, LUDHIANA.

(MR. G. LEWIS.)

During the year there have been separate representations about the strength of the superior Judicial staff of the district. I will simply note here that for the better and more satisfactory disposal of the more important civil litigation of the district it is very necessary that there should be an Extra Assistant Commissioner here set apart for only civil work.

Though the execution of decree business has been marked with greater activity during the year, Rs. 1,46,990 having been realised after execution of coercive process, as against Rs. 1,31,890 in the preceding year, yet it is satisfactory to note that on the whole *supurddárs* are continuing to give less trouble.

DISTRICT JUDGE, KULU.

(Mr. H. A. Rose.)

Register of marriages and betrothals.—Since the report for 1892 was written the system of registering marriages, &c., has been discontinued. It had been in force since 1869 when Sir J. Lyall instituted it. It is greatly to be regretted that, while a man is compelled by law to register a possessory mortgage involving land with a few rupees, no law exists compelling him to register his betrothal or marriage.

The difficulty pointed out in last year's report of ascertaining the real custom of succession has become even more apparent this year. It has now been laid down definitely that in Plách sub-tahsíl a man can alienate his land to his daughter's son, and that in Kulu he cannot. It is a safe deduction from this result that there is no custom.

The fixity of custom among half civilized people has been assumed almost invariably but it is very doubtful if the assumption is quite justified. It may indeed be conceded that custom runs between certain limits, but between the two extremes there may be considerable variance. Thus the function of the courts is not so much the ascertaining of a fixed custom as the selection of a more or less predominant usage from a number of usages varying within certain limits. The idea in the instance given above has really been that a childless proprietor could devise his land to certain near cognates and the usage has been for him to avail himself more or less freely of this power according to local circumstances and necessities.

It is clear that if land had little value and was heavily taxed in labour as well as in money it would not always be to the interest of the cognates for him to exercise it.

Pleadings.—It is greatly to be regretted that section 53 of the Civil Procedure Code does not give the courts more power to return plaints for amendment. In Kulu especially the petition-writers are incapable of really drawing up plaints, &c., the Specific Relief Act being most misunderstood, and it is in consequence almost impossible for the court to aid an ignorant litigant save by allowing him to withdraw the suit and institute a fresh one.

The old English system of drawing pleadings has somewhere been called "immoral," but in taking every possible ground of attack and defence in the pleadings and abandoning those which could not be maintained in the actual trial justice was fully secured. As it is, a petition-writer makes a litigant commit himself to a statement of fact which he cannot substantiate and does not allow him to urge in addition some plea of custom which he probably would succeed in proving. The litigant is again afraid to admit in examination any facts against him and to plead a custom, so that it often occurs that the custom cannot legally be put in issue and many equitable claims are lost.

DIVISIONAL JUDGE, SIALKOT.

(Colonel H. Lawrence.)

As regards the issue of commissions for local enquiry, or for the examination of accounts under sections 392 and 394, Civil Procedure Code, there is no means of checking the action of the subordinate courts. In some instances the cost of such commissions is realised and paid directly to the local commission, and sometimes it is even so paid before any enquiry has been made.

The entries in the Názir's register of the Siálkot district for 1893 in regard to commissions issued by courts at the sadr do not agree with the entries in the Annual Statement No. VIII, and the Názir explains this by saying that his register makes no distinction between commissions issued by Civil and Revenue Courts.

I believe that many commissions are issued which never appear in the civil returns. In one instance I found that a local commission had realised from the parties double the amount which the court had directed to be paid.

DIVISIONAL JUDGE, MOOLTAN.

(Mr. R. L. Harris.)

The effect of ruling No. 115 of 1890, which makes the title of a person holding under an unregistered deed insecure, is felt here as in other divisions in this Province.

I do not believe much in the efficiency of Tahsíldárs in disposal of civil work. A percentage of 7 or 8 of the whole disposals looks of course very well on paper, but this class of officer very naturally subordinates his civil judicial work to all his other work, making numerous adjournments and often deciding upon the bare statement of the patwári. It would however in my opinion be of much assistance to the administration if *had shikasi* and *abadi deh* cases were almost exclusively tried by Tahsíldárs on the spot, thus saving the ryot at least a good deal of the expenses of the first court.

DISTRICT JUDGE, JHELUM.

(Diwan Narendra Nath, M.A.)

Under this head, I have only to say a few words about the sapurddárs. In July 1893 a case was brought to my notice by the Munsif of Chakwál, in which a sapurddár had refused to make over to the peon a cow which had been made over to him. I commenced criminal proceedings against him. But it was found on trial that in the sapurdnáma, for which so far as I am aware no forms are prescribed, the sapurddár had agreed either to make over to the peon the cow which had been entrusted to him or to pay Rs. 10. He was willing to pay Rs. 10, and therefore a criminal prosecution against him under section 406 of the Indian Penal Code could not be sustained. The Bailiff who had given over the animal to the sapurddár on this sapurdnáma was fined.

On my last inspection I was told by one of the Munsifs that lambardárs sometime refuse to become sapurddárs. The complaint is, however, not a general one.

I would, however, suggest that (*a*) printed forms be issued of sapurdnámas, such as could make the sapurddárs liable to a criminal prosecution in case of their being unable to produce the property entrusted to them, and (*b*) that to the duties of lambardárs one be added making it incumbent on them to take charge of all property that may be entrusted to them in execution of decrees of civil courts.

In the sapurddár's case already referred to I do not know what I could have done, if the sapurddár had not offered to pay Rs. 10. I could not compel him to do so. A slight variation in the form of the sapurdnáma may save a sapurddár from a criminal prosecution.

DISTRICT JUDGE, SHAHPUR.

(Mr. A. Bridges.)

Qualified and willing Honorary agency is available in the district for petty civil work, and can be utilized if found necessary in the form of Benches at the important towns of the district, to take up the petty litigation for disposal. This would strengthen the paid staff by taking a good deal of work out of their hands without any public disadvantage or inconvenience.

It has been observed in claims for the custody of wives amongst the Muhammadans that widows or grown up girls had married by choice against the consent or wishes of the relations of their late husbands or their parents. As such liberty to women is repugnant to the sense of the community, and is looked upon as calculated to disgrace the late guardians or parents, false cases are brought to make the women return to their old allegiance on grounds of alleged previous marriage. As near relations in such cases range themselves against the women, it becomes specially difficult to arrive at the truth.

If arrangements could be made to appoint selected maulvies only to solemnize the Muhammadan marriages in the mufassil, the chances for such cases being instituted would be reduced to the lowest, and the people would be saved a great deal of perjury and unnecessary expenditure.

Complaints are sometimes heard about bonds or deeds having been forged by some petty money-lenders against their ignorant and illiterate rural debtors to bring old debts within limitation. This could be remedied by licensing or appointing reliable persons for the purpose in villages, who could be directed to keep registers of documents drafted by them. This would also help towards proper assessment of the income tax on the village money-lenders.

Subsequent to the Chief Court Ruling No. 115 of 1890, it has been noticed that some sharp litigants, with the express object of depriving *bona fide*, but illiterate or ignorant, mortgagees or vendees of immoveable property, holding under unregistered deeds, of their dues and possessions, have succeeded fraudulently in getting subsequent deeds executed and registered in their favor and thereby acquiring properties to which they had no equitable right or title. Such speculators would hardly seem deserving of the help of the courts.

DIVISIONAL JUDGE, DERAJAT.

(Mr. A. Christie.)

The difficulty alluded to by the District Judge, Dera Ismail Khan, of arriving at a satisfactory settlement of disputes relating to rights of irrigation from hill streams is one which I have frequently experienced. Several cases have come before me on appeal in which the officer conducting the inquiry has visited the spot and made a careful investigation, but in scarcely any case have I been able to uphold an order by which relief has been granted. The settlement entries usually refer to a state of affairs which has been long non-existent. Where dams and watercuts are constantly being swept away, it is impossible for a civil court to decide what fields are to be irrigated or what dams are to be erected or removed.

DISTRICT JUDGE, DERA ISMAIL KHAN.

(Mr. H. W. Gee.)

There has been a great improvement noticeable in the manner in which the deposit accounts have been kept by the Náib-Názirs and Madad Náib-Názirs. The provisions of Judicial Circular CVIII now seem to be generally understood and observed, and the registers are checked by the presiding officers every month. The plan I noticed last year of sending round the Civil Názir in the month of September to go through the accounts of all the courts for the previous 12 months was most successful in bringing to light irregularities here and there, and mistakes in arithmetic.

The present state of civil litigation with respect to irrigation rights in the hill streams is not satisfactory. It is almost impossible for a court sitting at the sadr to do justice in cases of this sort. The fundamental rights of the parties have almost always been recorded in the settlement record, and cases are brought into court on such a plea as that one party or village has diverted the water, or erected a bund in a certain place which is detrimental to the plaintiff's rights. These hill streams are always liable to change their course, and the control of the flood water which comes down them is essentially an executive business. It is quite possible therefore that not only no good but even great injustice may be done by a hard and fast decree of a civil court declaring, for instance, that a bund may or may not be erected at a certain spot. On the other hand, if the parties sue merely for a declaration of right to a specific share in the water, the result is a decree which is merely a repetition of entries in the settlement record of irrigation rights, and the parties are no better off than they were before. A very good instance of this sort of case has been in my own court during the past year between the villages of Pezu and Indri. Litigation went on for months, but it is perfectly impossible that the parties can ever get full satisfaction in the civil courts.

It would be a real benefit to all concerned if cases of this description were kept out of the civil courts altogether, and I have heard many other officers express the same opinion.

DISTRICT JUDGE, PESHAWAR.

(Mr. W. B. DeCourcy.)

The petition-writers in this district are as a rule very inferior men. I examined the registers of those at head-quarters during the year, and had those belonging to writers in the mofussil examined at their respective head-quarters by Tahsíldárs or Munsifs. The fees entered were, as a rule, so low that I do not believe they were correctly shown. On the other hand, in the case of just a few men the fees shown were enormous. Particular orders have been issued to writers now as to what is expected of them, and to courts to the same effect. The courts do not supervise the working of these writers.

Chief Court Circular No. IV of 1887 is greatly in the way of work. A case has to be kept over to the end of the day before it can be dismissed in default. It seems to me it would be sufficient if the Judge were to note in his order of dismissal for default the time at which he made it. Just now people take advantage of the Circular at all hours and, as a rule, late—the consequence is great confusion in the disposal of cases. The order works only in favour of parties. If courts are to be held responsible for the proper outturn of work, however, I think the order should be modified so as to help both sides. This order, as it stands, is often responsible for adjournments.

Certifying private payments in execution of decree is a point calling for urgent orders or legislation. Experience shows that judgment-debtors are defrauded by their judgment-creditors, and the reason for this is obvious. At the same time, it would never do to have an inquiry into payments alleged to have been made in this manner; indeed, we should not have time for such inquiry; still there are cases where one is often tempted to make it even against the rule.

There is a considerable amount of work here under Act VIII of 1890. I think the law requires amendment in one respect. What is to be done with an estate to which none but distant claimants survive? Ordinarily the procedure is clear enough, but in the case stated there is a difficulty which is hardly met by merely referring the parties to a suit for the division of their claims. Then, supposing the claims fail, the law does not say what the court is to do with the estate.

I was in this district some years ago, and have been struck with the manner in which many an old family is being disintegrated. No doubt there are cases where the head of the family is to blame for this untortunate change, but there are other cases in which he is not to blame at all, and where the misfortune of course presses so very much harder. In these cases "the youth of the day" plays the prominent part, on his own account or on the advice of fast men like himself, and when he gets into the hands of men who can make money or secure some advantage through him.

The pleaders here have very peculiar ideas as to their profession. The main idea appears to be to make a case last as long as possible. Of course there are exceptions among them. It is greatly to be regretted that the higher aims of the profession are entirely lost sight of, and one of the principal reasons for this omission, no doubt, is the knowledge that their value is uncertain and that competition is serious, coupled with the fact that the Panjabi litigant thinks best of the man who actually fights a case, regardless of all and every other consideration.

In conclusion I would note that it is a great mistake to think this district has the staff Government records show it to have. The Assistant Commissioner at Mardán does no civil work, I may say. His time is said to be taken up with criminal and political work. One Extra Assistant Commissioner cannot be much used, as he too is used for political work. The Revenue Extra Assistant Commissioner cannot be used at all, and so as regards three out of five Tahsildárs. This is a state of affairs demanding all consideration, particularly as regards Mardán, the people of which, who have civil suits out of the Munsif's court, derive no benefit by having an outpost office.